

WILES/BUTLER

Planned Unit Development

February 1995

P&A Approved

3/8/95

Re-Approved 4/12/95

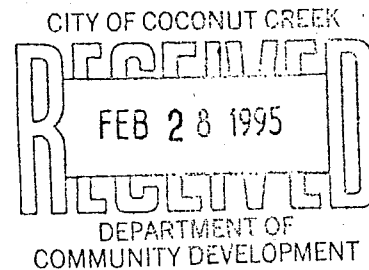
Commission Approved

Ord. 111-95 4/27/95



2295 Corporate Blvd, N.W.
Executive Court One
Suite 215
Boca Raton, FL 33431

Tel 407-998-0955
Fax 407-241-4934



WILES/BUTLER PROPERTY

City of Coconut Creek

APPLICATION FOR REZONING FROM RS-5, A-1 AND COMMERCIAL B3 TO PLANNED UNIT DEVELOPMENT (P.U.D.)

PROFESSIONAL ENGINEERING

LAND DEVELOPMENT

SITE EVALUATION

GOVERNMENTAL

PERMITTING

TRAFFIC ANALYSIS
& CONCURRENCY

PROJECT MANAGEMENT

ENVIRONMENTAL

Prepared by:

HPT Consultants, Inc.

December 7, 1994

Revised January 24, 1995

Revised February 23, 1995

SEE NOTES FOR NEW
PROJECTS 1996

Approved

DATE 3/8/95 BY [Signature]
PLANNING & ZONING

RE APPROVED

4/12/95 [Signature]



PLANNING AND ZONING BOARD APPLICATION

P&Z NO.

DEPARTMENT OF COMMUNITY DEVELOPMENT 4800 west copans road post office box 63/4007 Coconut Creek, Florida 33063

SUBMITTAL DATE: Dec. 7 1994 RESIDENTIAL: NON-RESIDENTIAL:

PLAT NAME: _____

PROJECT NAME: Wiles/Butler Property

PROJECT LOCATION: S.R. 7 at Winston Park Blvd.

PROJECT DESCRIPTION: Proposed P.U.D.

APPLICANT/OWNERS NAME: Timothy S. Butler
Smiciel Partners II, Ltd. PHONE NO: 407-968-3605

ADDRESS: P.O. Box 3768 Lantana, FL 33465

AGENTS NAME: Timothy S. Butler &
H.P. Tomplins, Jr. PHONE NO: 407-998-0955

ADDRESS: 2295 Corporate Blvd., NW, Exec. Ct One, Suite 117
Boca Raton, FL 33431

DEVELOPMENT ACTION:

<input type="checkbox"/> SPECIAL LAND USE	<input type="checkbox"/> PUD /PCD MODIFICATION
<input type="checkbox"/> LAND USE PLAN AMENDMENT A-1, RS-5	<input type="checkbox"/> SIGNAGE
<input checked="" type="checkbox"/> REZONING (FROM <u>B-3</u> TO <u>PUD</u>)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> PLAT	<input type="checkbox"/> RELEASE OF EASEMENT
<input type="checkbox"/> SITE PLAN <input type="checkbox"/> MODIFICATION	<input type="checkbox"/> OTHER _____

FEE COMPUTATION: $20 \text{ ac.} \times \$100.00 = \$2,000$
 $92.5 \text{ ac.} \times \$20.00 = \$1,850$ = \$ 3,850

APPLICATION INFORMATION

<input checked="" type="checkbox"/> SEVEN (7) SETS OF PLANS	<input type="checkbox"/> WRITTEN RELEASES (if applicable)
<input checked="" type="checkbox"/> FEE	<input checked="" type="checkbox"/> AGENT LETTER (if applicable)
<input checked="" type="checkbox"/> LEGAL DESCRIPTION/ SURVEY -(PLAT)	<input type="checkbox"/> PROPERTY OWNERS LIST/LABELS (if applicable)
<input type="checkbox"/> JUSTIFICATION REPORT	<input type="checkbox"/> PHOTO (if applicable)

DRC MEETING DATE: _____ P&Z MEETING DATE: _____

LEGAL ADVERTISEMENT: _____ COUNCIL ACTION: _____

TABLE OF CONTENTS

- A. OWNER - APPLICANT - CONSULTANT INFORMATION
- B. LAND USE PROGRAM
- C. EXISTING SITE CONDITIONS
- D. RESIDENTIAL DEVELOPMENT
- E. COMMERCIAL DEVELOPMENT
- F. VEHICULAR CIRCULATION
- G. OPEN SPACE
- H. PARKS, RECREATION SPACE
- I. MUNICIPAL, PUBLIC SERVICES
- J. DRAINAGE, GRADING
- K. COMPREHENSIVE PLAN GOALS
- L. TRAFFIC REPORT
- M. FISCAL IMPACT
- N. DEVELOPMENT STANDARDS/DETAILS
- O. EXHIBITS

A. OWNER - APPLICANT - CONSULTANT INFORMATION

OWNER: Timothy S. Butler, et al
Sawgrass Realty
805 E. Hillsboro Blvd.
Deerfield Beach, FL 33441
(305) 421-2022

APPLICANT: Timothy S. Butler, et al Smigiel Partners II, Ltd.
Sawgrass Realty P.O. Box 3768
805 E. Hillsboro Blvd. Lantana, FL 33465
Deerfield Beach, FL 33441 (407) 968-3605
(305) 421-2022 Attn: Gary Smigiel

ENGINEER: HPT Consultants, Inc.
2295 Corporate Blvd., NW, #117
Boca Raton, FL 33431
(407) 998-0955
Attn: Press Tompkins, P.E.

PLANNER: R. Quinn Turner & Associates
2295 Corporate Blvd., NW, #117
Boca Raton, FL 33431
(407) 997-7286
Attn: Quinn Turner

TRAFFIC ENGINEER: Progressive Engineering Design
2295 Corporate Blvd., NW, #117
Boca Raton, FL 33431
Attn: Wael "Maj" Majdalawi, P.E.

SURVEYOR: W. L. Fish & Co., Inc.
105 S. Narcissus Ave., Suite 802
West Palm Beach, FL 33401
(407) 833-5001
Attn: Larry Fish

ATTORNEY: Andrew Maurodis, Esq.
150 NE 2nd Avenue
Deerfield Beach, FL 33441
(407) 480-4265

CERTIFICATE OF OWNERSHIP

I, Tim Butler, am an owner (and have authority to act on behalf of all other owners) of the property which is the subject of the attached applications for plat approval and rezoning. I hereby attest that I represent the entire ownership interest in the subject property with authority to file and execute the necessary development permit applications and documents for the subject property in order to obtain approval of a commercial plat and a plat and rezoning to a 575 unit Planned Unit Development (PUD). Ownership has been held by the current owners for a substantial period of time. I hereby authorize submission of the plat and rezoning applications (the rezoning shall be to PUD for 575 units-including 110 Reserve units) for the subject property.

A legal description of the property is attached as Exhibit "A".

The tax folio number of the property is:

FOLIO #	LOCATION	FOLIO #	LOCATION
1. 8207-01-012	N E 1/4 TR 80	14. 8207-01-0201	W 2/3 TR 78
2. " 0121	S E 1/4 TR 80	15. " 0202	TR 77 & 84
3. " 013	S W 235' TR 80	16. " 021	W 330' TR 83
4. " 0131	W 1/2 TR 82	17. " 022	MIDDLE 1/3 TR 8
5. " 0132	TR 79	18. " 023	N 1/2 TR 85
6. " 0133	E 1/2 TR 81	19. " 024	S 1/2 TR 85
7. " 0134	S E 1/6 TR 78	20. 8218-01-005	W 1/2 TR 7
8. " 0135	N E 1/6 TR 78	21. " 0051	E 1/3 TR 5
9. " 0136	N W 1/4 TR 81	22. " 0052	Middle 1/3 TR :
10. " 0137	S W 1/4 TR 81	23. " 0053	W 1/3 TR 5
11. " 014	E 1/2 TR 81	24. " 0054	E 1/2 TR 6
12. " 020	N E 1/6 TR 83	25. " 0055	E 1/2 TR 7
13. " <u>New</u>	S E 1/6 TR 83	26. " 0056	W 1/2 TR 6
		27. 8207-03-280	TRACT "T"*

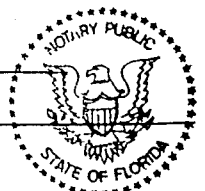
Tim Butler

TIM BUTLER
Sawgrass Realty, Inc.
805 E. Hillsboro Blvd.
Deerfield Beach, FL 33441
(305) 421-6060

this 6 THE FOREGOING instrument was acknowledged before me this 6 day of December, 1994, by Tim Butler who is personally known to me and who did not take an oath.

George A. Patterson

Notary Public



Commission #
My Commission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 16, 1994
Member: Title Trust Firm - Insurance Inc.

"OFFICIAL NOTARY SEAL"
GEORGE A. PATTERSON

AUTHORIZATION

The undersigned owners of the property described on the attached Exhibit "A", do hereby authorize Tim Butler to file the plat and rezoning applications (and to file such other applications and take such other necessary actions in support thereof) as specified in the attached Certificate of Ownership.

J.B. Wiles
J.B. Wiles

Timothy Butler
Timothy Butler, individually and as custodian for Joshua Butler and Jacob Butler, his minor sons, and as attorney-in-fact for Roger Butler, his brother, and Dallas Butler, his nephew.

Lisa Butler Price
Lisa Butler Price, individually and as custodian for Hunter Price and Dawson Price, her minor children

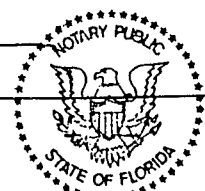
Donna W. Dummich
Donna Wiles Dummich, individually and as attorney-in-fact for Edwin Beers and Melissa Beers, her children, who are both adults.

Molly W. Butler
Molly W. Butler, individually

THE FOREGOING instrument was acknowledged before me this 6 day of December, 1994, by J.B. Wiles; Timothy Butler, individually and as custodian for Joshua Butler and Jacob Butler, his minor sons, and as attorney-in-fact for Roger Butler, his brother, and Dallas Butler, his nephew; Lisa Butler Price, individually and as custodian for Hunter Price and Dawson Price, her minor children; Donna Wiles Dummich, individually and as attorney-in-fact for Edwin Beers and Melissa Beers, her children, who are both adults; and Molly W. Butler, individually, who are personally known to me and who did not take an oath.

Commission # CC060609
My Commission Expires:

George A. Patterson
Notary Public



Notary Public, State of Florida
My Commission Expires Dec. 16, 1994
Bonded Thru Troy Fain - Insurance Inc.

"OFFICIAL NOTARY SEAL"
GEORGE A. PATTERSON

EXHIBIT "A"

LEGAL DESCRIPTION OF THE LAND

Tracts 77 through 85 of Block 86 and Tracts 5 through 7 of Block 89 of the plat of PALM BEACH FARMS, plat #3 and Tract "T" of the plat of WINSTON PARK, Section one-A, 131-24, and parcel "A" (Vacated Wilburn Road R/W) and vacated plat rights-of-way Parcel "K" as per Broward County Commission Resolution No. 68-17755 and Recorded in O.R. Book 22839 at Page 0894, Public Records of Broward County, Florida; all property located in Broward County, Florida.

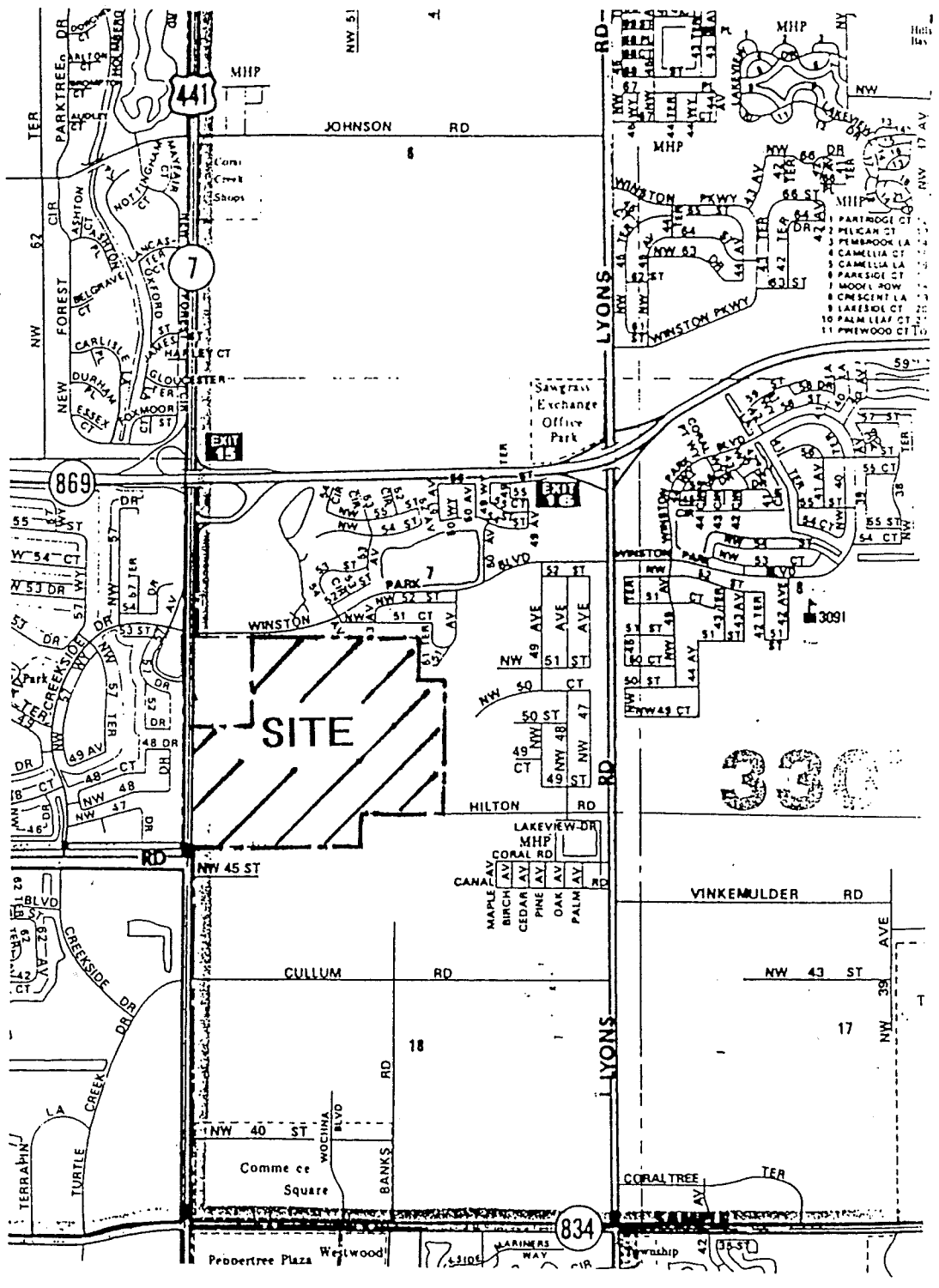
*Tract "T" previously recorded within the plat of WINSTON PARK, Section one-A, Broward County Records Plat Book 131, Page 24.

EXHIBIT "A"

LEGAL DESCRIPTION OF THE LAND

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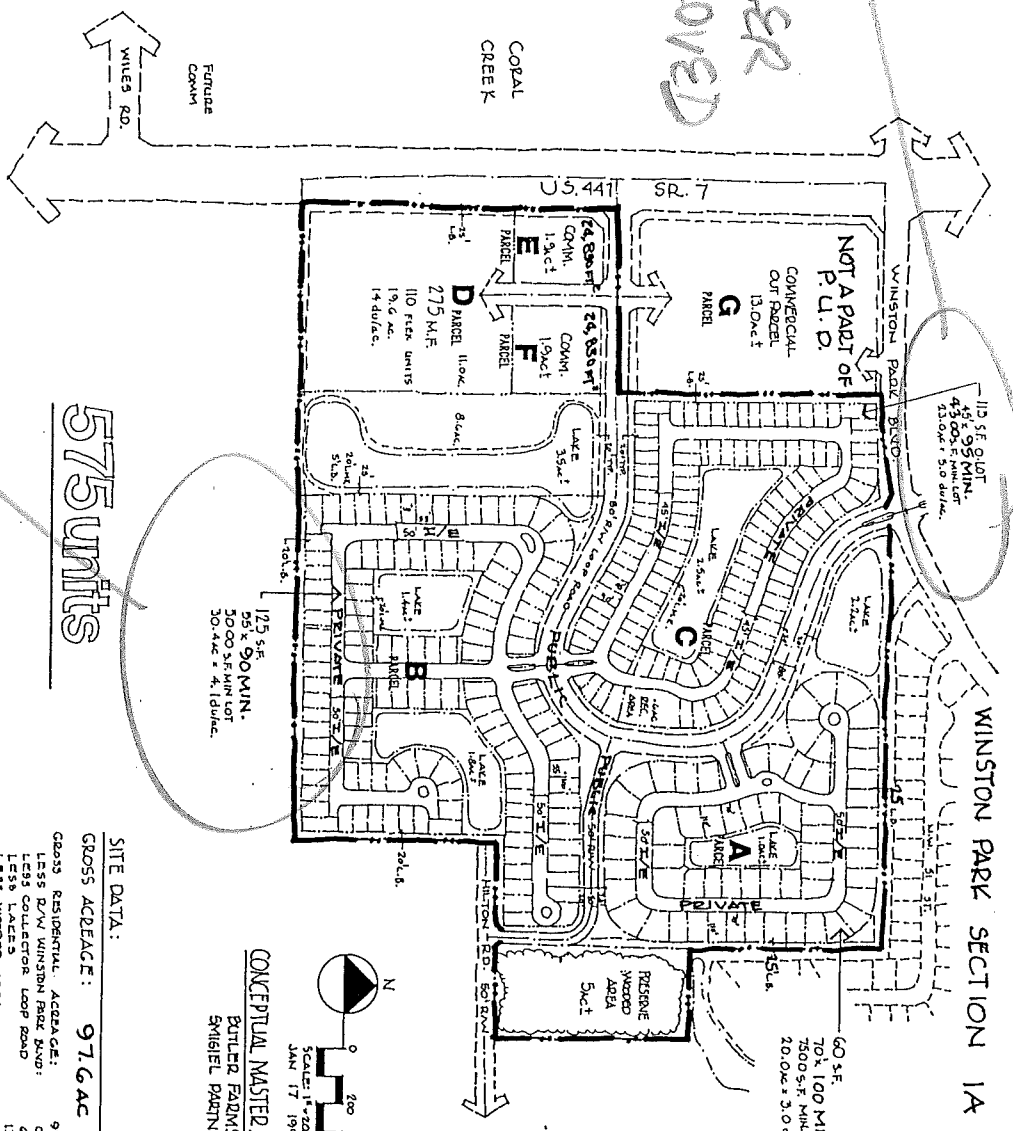


WILES/BUTLER
PUD

HPT CONSULTANTS, INC.

LOCATION MAP

ND
LONGER
APPROVED



5500 SF
MIN

575 units

PLANNER: R. QUINN TURNER
ENGINEER: HPT CONSULTANTS, INC.

SITE DATA:

GROSS ACREAGE: 97.6 AC

- CRS33 RESIDENTIAL ACREAGE: 93.0 AC.
- LESS P/V WILSON PARK BLVD: 0.0 AC.
- LESS COLLECTOR LOOP ROAD: 4.0 AC.
- LESS LANCES: 13.0 AC.
- LESS WOODED AREA: 0.0 AC.

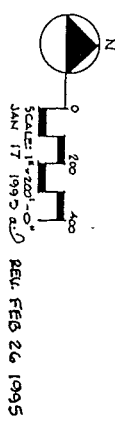
NET RESIDENTIAL ACREAGE: 89.0 AC.

RESIDENTIAL SITE DATA:

- Parcel A: 20 ac ± 60 SF 1040 sq ft = 370/acre.
- Parcel B: 30 ac ± 173 SF 53 x 90 = 41/acre.
- Parcel C: 23 ac ± 113 ac ± 48 x 99 = 2/acre.
- Parcel D: 19 ac ± 110 ac ± 48 x 99 = 2/acre.
- + 110 ac ± RES UNITS = 1740 ac ±.
- TOTALS: 93.0 ac ± 423 units + 0.0 ac ± 0 units = 423 units.
- ALLOWED: 93 ac ± 423 units = 423 units.

- GROSS COMMERCIAL ACREAGE: 4.6 AC ±
- LESS R/W COLLECTOR LOOP RD. 0.8 AC.
- NET COMMERCIAL ACREAGE: 3.8 AC ±

CONCEPTUAL MASTER / SITE PLAN
BUTLER FARMS
SMIGUEL PARTNERS



B. PROPOSED LAND USE PROGRAM

**Wiles/Butler Property
Coconut Creek, Florida**

	<u>Acres</u>	<u>Density</u>	<u>Units</u>
I. SINGLE FAMILY			
Parcel A	20.0	3.0	60
Parcel B	30.4	4.2	125
Parcel C	<u>23.0</u>	5.0	<u>115</u>
	73.4		300
II. MULTI-FAMILY			
Parcel D	19.6	14.0	275*
III. COMMERCIAL			
Parcel E	1.9		
Parcel F	1.9		
V. ROAD RIGHT-OF-WAY	6.1	(0.8 ac in commercial 5.3 ac in residential)	
(80' R/W)			
VI. PRESERVE	5.0		
VII. SR 7 R/W	2.1		
	<u>110.0</u>		<u>575</u>

***DENSITY DETERMINATION**

The Wiles/Butler property was annexed into the city of Coconut Creek based on 93 acres having a residential land use designation of 5.0 units per acre (L-5) and the remaining 32 acres having a land use designation of commercial. However, 39.5 acres was zoned as commercial B-3 and 85.5 acres was zoned residential RS-5.

	Existing <u>Land Use (ac.)</u>	Proposed <u>Land Use (ac.)</u>
Residential	93	97.6*
Commercial	<u>32</u>	<u>27.4</u>
	125.0	125.0

	Existing <u>Zoning (ac.)</u>	Proposed <u>Zoning (ac.)</u>
Residential	85.5	97.6
Commercial	<u>39.5</u>	<u>27.4</u>
	125.0	125.0

*The 20% Flexibility Rule has been applied to the 32 acres of commercial property to reduce the amount of commercial acreage and increase the amount of residential acreage. The project is located within Flex Zone 32 which has 170 reserve residential units available. The city has agreed to sell to the developer 110 of these 170 reserve units; therefore, the total residential density will be 575 dwelling units. The 110 reserve units will be assigned to Parcel D.

Commercial Parcel G is not part of this P.U.D. application. However, this parcel has been included as part of the overall analysis per the City's request. Parcel G has an existing land use of commercial and the current zoning is commercial B-3. At this time approval is requested for Parcel G to be developed to permit commercial uses consistent with Sections 13-628, 13-629 and Section 13-630 and all uses associated with the commercial B-3 zoning (Section 13-344).

Parcel D contains 7.5 acres (see legal description) previously land used residential but zoned commercial. As a part of this P.U.D. rezoning, this 7.5 acre portion of Parcel D is required to be rezoned back to P.U.D. (residential).

LEGAL DESCRIPTION:

A PORTION OF TRACT 7, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 7; THENCE SOUTH 89°36'52" WEST, ALONG THE SOUTH LINE OF SAID TRACT 7, A DISTANCE OF 678.64 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 ACCORDING TO OFFICIAL RECORD BOOK 13285, PAGE 748, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 01°00'17" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, A DISTANCE OF 150.01 FEET; THENCE NORTH 89°36'52" EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, A DISTANCE OF 20.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 ACCORDING TO OFFICIAL RECORD BOOK 4369, PAGE 216, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 01°00'17" WEST, ALONG THE LAST DESCRIBED EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 291.77 FEET; THENCE NORTH 00°59'39" WEST, CONTINUING ALONG THE LAST DESCRIBED EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 44.34 FEET; THENCE NORTH 89°00'21" EAST, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 663.63 FEET, TO A POINT ON THE WESTERLY LINE OF SAID TRACT 7; THENCE SOUTH 00°25'11" EAST, ALONG SAID WESTERLY LINE OF TRACT 7, A DISTANCE OF 493.13 FEET, TO THE POINT OF BEGINNING.

CONTAINING 326,700 SQUARE FEET OR 7.50 ACRES, MORE OR LESS.

SAID LANDS SITUATE IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA.

NOTES:

- 1) THIS INSTRUMENT NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL ALONG WITH SURVEYOR'S SIGNATURE.
- 2) BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACT 7, BLOCK 89, AS SHOWN HEREON, HAVING A BEARING OF SOUTH 89°36'52" WEST.
- 3) THIS SKETCH AND LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.

CERTIFICATION:

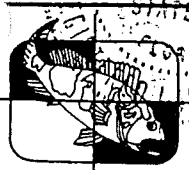
I HEREBY CERTIFY THAT THE DESCRIPTION SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, APPLICABLE TO LEGAL DESCRIPTIONS, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

W.L. FISH & COMPANY, INC.

Wayne Larry Fish
BY: WAYNE LARRY FISH
PROFESSIONAL LAND SURVEYOR
FLORIDA STATE REG. NO 3238

LEGEND:

- O.R.B. - DENOTES OFFICIAL RECORD BOOK
- PG. - DENOTES PAGE
- B.C.R. - DENOTES BROWARD COUNTY PUBLIC RECORDS
- P.B. - DENOTES PALM BEACH
- R/W - DENOTES RIGHT-OF-WAY
- S.R. - DENOTES STATE ROAD



W.L. FISH & COMPANY, INC.
SURVEYORS & PLANNERS

105 S. NARCISSUS AVE., SUITE 802
WEST PALM BEACH, FLORIDA 33401
(407)833-5001 FAX: (407)658-6745

DESCRIPTION SKETCH FOR:
SMIGIEL PARTNERS II, LTD.
WILES / BUTLER FARM

DRAWN: W.L. FISH	DATE: 01/17/95	SHEET
CHECKED: W.L. FISH	JOB# 94-072	NO. 1 OF 2

BLOCK 86

TRACT 81

TRACT 82



GRAPHIC SCALE

50' PLATTED P.B. FARMS R/W
VACATED BY RESOLUTION 68-
17755, PER O.R.B. 22839, PG.
894, B.C.R.

STATE ROAD NO. 7

WEST LINE OF SECTION 7/48/42

EASTERLY RIGHT-OF-WAY LINE OF S.R. NO. 7
PER O.R.B. 4369, PG. 216, B.C.R.

N.00°59'39"W.
173.58'

N.89°36'29"E.
665.33'

NORTH LINE BLOCK 89

N.89°00'21"E. 663.63'

SECTION 7/48/42

SECTION 18/48/42

N.00°59'39"W.
44.34'

TRACT 7

TRACT 6

7.50 ACRES ±

N.89°36'52"E.
20.00'

N.01°00'17"W.
291.77'

N.01°00'17"W.
150.01'

40' x 40' DRAINAGE EASEMENT
PER O.R.B. 13174, PG. 551, B.C.R.

S.89°36'52"W. 678.64'

SOUTH LINE TRACT 7

EASTERLY RIGHT-OF-WAY LINE OF S.R. NO. 7
PER O.R.B. 13285, PG. 748, B.C.R.

S.00°25'11"E. 493.13'
EAST LINE TRACT 7

POINT OF BEGINNING
SOUTHEAST CORNER OF TRACT 7,
BLOCK 89, P.B. FARMS COMPANY'S
PLAT NO. 3

WEST LINE OF SECTION 18/48/42

120'

TRACT 8

TRACT 9

BLOCK 89



W.L.FISH & COMPANY
SURVEYORS & PLANNERS

105 S. NARCISSUS AVE., SUITE 802
WEST PALM BEACH, FLORIDA 33401
(407)833-5001 FAX: (407)859-8745

DESCRIPTION SKETCH FOR:
SMIGIEL PARTNERS II, LTD.
WILES / BUTLER FARM

DRAWN: W.L. FISH	DATE: 01/17/95	SHEET
CHECKED: W.L. FISH	JOB# 94-072	NO. 2 OF 2

CATEGORY	FLEX ZONE 25		FLEX ZONE 32		FLEX ZONE 33		FLEX ZONE 34	
	LU ACRES	MAX DU's	LU ACRES	MAX DU's	LU ACRES	MAX DU's	LU ACRES	MAX DU's

RESIDENTIAL USES:

A. CITY TOTALS	1053	5640	1620	8977	1149	12009	466	2226
B. COUNTY TOTALS	1053	6352	1620	8977	1149	12009	466	2226
FLEXIBILITY UNITS		712		0		0		0
FLEX UNITS USED		0		0		0		0
residential flex		0		0		0		0
comm to resid. flex		0		0		0		0
FLEX UNITS AVAILABLE		712		0		0		0
RESERVE UNITS		127		180		240		45
RESERVED UNITS USED		2		0		0		0
residential flex		2		0		0		0
comm to resid. flex		0		0		0		0
RESERVE UNITS AVAILABLE		125		180		240		45

20% COMM TO RESID FLEX								
TOTAL COMMERCIAL	201		160		71			74
TOTAL OFFICE	159		0		0			32
MAX COMM. TO RESID. FLEX USED	72		32		14			21
AVAILABLE	9		0		10			0
	63		32		4			21

*please note that the acreage used to calculate the Commercial to Residential flexibility is from the Broward County Land Use Plan, not the Coconut Creek Land Use Tables

C. EXISTING SITE CONDITIONS

The property is generally located south of Winston Park Blvd. and east of S.R. 7 (US 441) and comprises approximately 125 acres gross. The property has approximately two thousand feet of frontage along S.R. 7 with two (2) existing median openings located on S.R. 7. The entire property except the extreme easterly 5 acres is active farmland with the predominant crop being tomatoes. The easterly most 5 acres has been designated as an area of local concern and no development has been planned for this area. The majority of the drainage ditches utilized for crop irrigation will be removed and a series of lakes will be constructed in accordance with all of the requirements of the City of Coconut Creek and the Cocomar Drainage District. The drainage will continue in a central north-south direction and connection points will be provided to continue the drainage concept (see preliminary drainage plan). The easterly most 5.0 ac. (Tract 85, Block 86) has been designated by Broward County as a natural resource area by Resolution 89-4525, recorded ORB 17022 Pages 838-908.

There is a small 1.3 ac. poor quality cypress stand located adjacent to S.R.7. This cypress stand has been discussed with Broward County DNRP and SFWM and the applicant is in the process of mitigating this area. This 1.3 acre site was not identified or included in the above referenced resolution.

D. RESIDENTIAL DEVELOPMENT

SINGLE FAMILY

	<u>Acreage</u>	<u>Density</u>	<u>Min. Lot Size</u>	
Parcel A	20.0 ac.	60 units	70'x100'	
Parcel B	30.4 ac.	125 units	55'x90'	MIN 5500 SF
Parcel C	23.0 ac.	115 units	45'x95'	

MULTI-FAMILY

Parcel D	19.6 ac.	275 units	--
	<hr/>	<hr/>	
	93.0 ac.*	575 units	

*net acreage

E. COMMERCIAL DEVELOPMENT

		<u>Sq. Footage</u>	<u>Parking Req'd</u>
Parcel E	1.9* ac.	24,830 Ft ²	125
Parcel F	<u>1.9* ac.</u>	24,830 Ft ²	125
	3.8± ac.*		

* (Net acreage)

Parcel's E & F (1.9 ac., respectively) to be approved to include the permitted uses for the B-3 zoning district as described in Section 13-344. All commercial parcels will be limited to 35% building coverage determined by the gross acreage. Parcel's E & F will be required to be reviewed as a special land use if not utilized for permitted uses within the requested B-3 zoning category. Parcel's E & F shall conform to Section 13-395, 13-396, 13-397, 13-398, 13-399, 13-401 for parking requirements.

NOTE:

Parcel "G" to be developed under the City of Coconut Creek Land Development Code, Section 13-344 (B-3) and shall be subject to special land use conditions for development under Sections 13-628, 13-629, 13-630.

F. VEHICULAR CIRCULATION

The circulation pattern is accomplished by a collector right-of-way of 80 feet which connects Winston Park Blvd. with State Road 7. Circulation within the residential parcels will be by 50 foot and 45 foot ingress/egress tracts which connect to the 80 feet collector right-of-way. The 80 feet collector right-of-way has the capability to move the traffic in and out of the development to the public access points and to the major arterial roadways. A 50 foot right-of-way connects the 80' collector right-of-way to the proposed extension of Hilton Blvd., thus creating a east-west connection from Lyons Rd. to S.R.7. The 80' collector right-of-way and the 50' right-of-way connecting the 80' right-of-way to the Hilton Road extension will be public right-of-ways. All other right-of-ways will be private and shall be maintained by the appropriate homeowners association.

G. OPEN SPACE

The conceptual master plan incorporates the required amount of open space as described in Section 13-348.

LAKES*	14.4 ac.
PRESERVE	5.0 ac.
GREEN AREA WITHIN RESIDENTIAL PARCELS	10.7 ac.
LAKE BANKS	3.2 ac.
GREEN AREA WITHIN COMMERCIAL PARCELS	1.4 ac.
GREEN AREA WITHIN MULTI-FAMILY PARCEL	<u>5.8 ac.</u>
	40.5 ac.
REQUIRED 35% x 112 ac. =	39.2 ac.

*Lakes greater than 100 ft. in width allow for 100% credit.

The lake areas provide the required flood protection and also provide for water quality. The 5 acre preserve will also be utilized for water retention and storm water storage. The lots that back up to this preserve will direct their run-off via sheet flow to this area, thus helping to insure the viability of this preserve area.

H. PARKS, RECREATION

The city of Coconut Creek requires 5% of the residential acreage be dedicated as park or recreation area. As an alternative, the city will accept cash-in-lieu for this park, recreation requirement.

Park Land Requires 5% of Residential Acreage
 $5\% \times 96.5 \text{ ac.} = 4.83 \text{ ac.}$

Value of Land per Acre* \$50,000.00

This land value is based on similar land costs, and will be subject to a current appraisal.

Cash Due $\$50,000^* \times 4.83 \text{ ac.} = \$241,500.00$

* To be adjusted based on a current appraisal.

The applicant requests the City of Coconut Creek to enter into a tri-party agreement with Broward County to add the 5 ac. preserve located in Tract 85, Block 86 to the existing Winston Park Nature Center Preserve and to receive credit for this dedication towards the Broward County requirement for local and regional parks.

I. MUNICIPAL, PUBLIC SERVICES

Municipal and public services such as fire, police, community facilities are within reasonable proximity to the site. The development has planned for private streets within the residential parcels with the possibility of each residential parcel to be gated. Access by emergency vehicles to these communities will be coordinated with the City of Coconut Creek Public Safety Department. There shall be unlimited access and right to enforce all government codes by all government agencies within the P.U.D. The homeowners association documents shall so note covenant which shall be in a form acceptable to the City Attorney.

The school issue is one controlled by the Broward County School Board. Several new school sites in this vicinity have been dedicated to the County by other developments. This development will address the school situation with Broward County at the time of platting this property.

J. DRAINAGE, GRADING

The site is currently being farmed, and, thus, has many irrigation ditches throughout the property. All of these irrigation ditches will be filled in and a series of lakes will be constructed to meet all of the requirements of the City of Coconut Creek, Cocomar Drainage District, and the South Florida Water Management District (S.F.W.M.D.). The Cocomar Drainage District requires 15% on-site retention with the ultimate out-fall to the Hillsboro Canal.

Requirements for Drainage Design Criteria:

Discharge:	25 year, 1 day storm event
Minimum Road Crown Elevation:	10 year, 1 day storm event
Minimum Finished Floor Elevation:	100 year, 3 day storm event

The proposed development will meet or exceed all of these requirements, and design drawings will be submitted to the city and drainage districts for approval.

On-site lakes will be constructed and interconnected by a series of equalizer pipes. The fill generated by the lake excavation will be utilized to fill the site to the required elevations. The on-site lakes will provide the necessary water retention and water quality. The storm water management system will be designed to provide storage of the first flush of run-off and will be limited to peak discharge not to exceed 35 CFSM. The storm water management system will provide the necessary flood protection for the 100 year, 3 day storm event. This development will ultimately discharge into the Hillsboro Canal, which is designed to allow tributary areas to discharge up to 35 CFSM. Based on this information no adverse impacts are anticipated on the regional drainage network.

K. CITY OF COCONUT CREEK COMPREHENSIVE PLAN GOALS

This proposed Planned Unit Development meets the goals and objectives of the city's comprehensive plan. The following goals to the comprehensive plan pertain to Planned Unit Developments.

Goal II-1.0.0

Provide residential areas which offer a variety of housing types and densities, a range of different costs, and a desirable quality of life with adequate public services and facilities.

Objective II-1.1.0

Accommodate population growth by providing areas for residential development.

Objective II-1.2.0

Facilitate the movement of people from homes to work, shopping and recreation destinations by locating intensive residential uses close to higher capacity thoroughfares.

Policy II-1.2.1

Arrange the future land use map so that residential densities in the low to medium ranges are located with access to existing minor arterials and collector streets.

Policy II-1.2.2

Arrange the future land use map so that residential densities in the medium high and high ranges are located with adequate access to major and minor arterials, expressways and mass transit routes.

Objective II-1.4.0

Achieve residential neighborhoods that are attractive and well maintained.

Policy II-1.5.3

Arrange the land use map to allow development of large scale residential projects that provide a variety of housing opportunities in varying price ranges including housing for families with moderate incomes.

Policy II-7.1.2

The established character of predominantly developed areas shall be a primary consideration when amendments to this land use plan are considered.

Policy II-7.1.3

Review the future land use plan map and revise as necessary to ensure that commercial, industrial and other non-residential land uses are located where they will not adversely impact existing and designated residential areas.

Goal II-9.0.0

Promote the efficient use of public facilities and services through planned communities and non-residential complexes with mixed land uses to achieve a beautiful and functional community.

L. TRAFFIC REPORT

The following Traffic Analysis has been prepared based on the densities of the proposed P.U.D. The results are as follows:

November 18, 1994

Mr. Press Tompkins , Jr. , P.E.
HPT Consultants , Inc.
2295 Corporate Blvd. N.W.
Executive Court One , Suite 215
Boca Raton, FL 33431

RE: *Wiles/Butler Property*

Dear Mr. Tompkins:

We conducted a traffic concurrency evaluation for the above referenced property. The property is anticipated to consist of 285,000 square feet of commercial use 275 Multi-Family and 300 Single Family residential development. The property is located on the southeast corner of the intersection of S.R. 7 and Wilburn Road in the City of Coconut Creek, Florida.

The concurrency evaluation identifies all Broward County Office of Planning TRIPS model roadway segments that could create a compact deferral area (CDA). Table 1 (attached) lists all roadway segments that could create a compact deferral area and identifies all over capacity and constrained roadway segments based on the information obtained from the Broward County Office of Planning TRIPS model.

As shown on Table 1, the following roadway segments exceed the allowable level of service:

1. S.R. 7 (Sawgrass Expressway to Sample Road - Segments No. 40, 65 and 956)
2. Wiles Road (Creekside Drive to Rock Island Road - Segment No. 66)
3. Lyons Road (Johnson Street to Winston Park - Segment No. 1152 and 1571)

The Broward County Land Development Code Section 5-198 (a) (4) requires the development to meet such transportation concurrency requirements by accommodating the additional traffic generated by the development on the roadway network.

We explored potential concurrency solutions for the above subject segments and recommends the following alternatives:

ALTERNATIVE TRANSPORTATION IMPROVEMENTS

1. S.R. 7 (Segments No. 65 & 956)

This alternative consists of conducting a capacity recalculation of S.R. 7 from Sample Road to Sawgrass Expressway. The capacity recalculation consists of obtaining localized field traffic data on the subject segments and conducting traffic capacity analysis to increase the available capacity from its existing 51,200 vehicles per day. The capacity recalculation if favorable, will be submitted to Broward County Office of Planning for approval and adoption in the TRIPS model.

2. Wiles Road (Segment # 66)

This alternative consist of joining another developer that is in process of approving a mitigation alternative at the intersection of Rock Island Road and Wiles Road. The additional capacity benefit is believed to be sufficient to accommodate this development and other developer.

If that alternative is not feasible, then the option of constructing an eastbound right turn lane on Wiles Road at S.R. 7 can be established concurrently with Wiles Road. This option will involve paying a proportionate cost for the improvements in conjunction with Wiles Road extension project from S.R. 7 to Lyons Road.

3. Lyons Road

This alternative consists of conducting a capacity recalculation of Lyons Road from Sample Road to Sawgrass Expressway. The capacity recalculation consists of obtaining localized field traffic data on the subject segments and conducting traffic capacity analysis to increase the available capacity from its existing 51,200 vehicles per day. The capacity recalculation if favorable, will be submitted to Broward County Office of Planning for approval and adoption in the TRIPS model.

We anticipate that the above information outlines the transportation concurrency of this property. Should you have any questions or need any further information, please do not hesitate to contact us.

Very truly yours,

Wael "Maj" Majdalawi, P.E.
Manager - Transportation Dept.

TABLE 1 - AFFECTED ROADWAY SEGMENT

PROJECT NAME: WILES/BUTLER PROPERTY
 PROPOSED USE: 285,000 SF COMM. , 275 MULTI-FAMILY , 300 SINGLE FAMILY

NOVEMBER , 1994

file name: TRIPBUT.XLS

SEGMENT NUMBER	ROADWAY	FROM	TO	FAC TYPE	SEGMENT LENGTH	ADJ. COMM.	SUBTOTAL PROJECT	ROYAL	CAPACITY LOSID	CAPACITY 10% MAINT	REMAINING	COMMENTS	
65	SR 7	WILES RD	SAMPLE ROAD	A6LD	0.83	30,857	23,112	53,969	994	54,963	51,200	(3,763)	Exceeds LOS "D"
956	SR7	WILBURN RD	WILES RD.	A6LD	0.47	28,377	24,105	52,482	3,128	55,610	51,200	(4,410)	Exceeds LOS "D"
40	SR 7	WILBURN RD	SAWGRASS EXWY	A6LD	0.5	28,377	22,876	51,253	1,280	55,610	51,200	(4,410)	Exceeds LOS "D"
66	WILES RD.	CREEKSIDE DR.	ROCK ISLAND RD	A4LD	0.83	22,544	13,805	36,349	697	37,046	36,000	(1,046)	Exceeds LOS "D"
1572	WILES RD.	SR 7	CREEKSIDE DR.	A4LD	0.24	19,335	12,756	32,091	2,134	34,225	36,000	1,775	
76	SAMPLE RD.	BANKS RD.	SR 7	A6LD	0.45	46,169	6,221	52,390	206	52,596	53,500	904	
77	SAMPLE RD.	LYONS RD.	BANKS RD.	A6LD	0.51	46,169	7,639	53,808	206	54,014	54,236	222	
1573	SAMPLE RD	SR 7	TURTLE RUN BLVD	A6LD	0.70	39,288	15,347	54,635	0	54,635	56,100	1,465	
1152	LYONS RD	SAWGRASS EXY	WINSTON PARK	A6LD	0.36	28,886	21,184	50,070	1,195	51,265	51,200	(65)	Exceeds LOS "D"
1153	LYONS RD.	WINSTON PARK	SAMPLE RD.	A6LD	1.53	30,922	23,596	54,518	0	54,518	51,200	(3,318)	NO PROJ. TRIPS
1571	LYONS RD.	JOHNSON RD.	SAWGRASS EXWY	A6LD	0.74	27,310	31,206	58,516	293	58,809	51,200	(7,609)	Exceeds LOS "D"

ANALYSIS OF OPTIMAL ALTERNATIVE

A capacity recalculation was determined to be the optimal alternative base on the previously stated guidelines. FDOT requires capacity recalculations to follow the guidelines established in Appendix G of FDOT's Florida's Level of Service Standards and Guidelines Manual for Planning, April, 1992. Appendix G, Guidelines for Determining Input Values for a Planning Level of Service Analysis, outlines the methodologies and input variables for capacity recalculation.

CAPACITY RECALCULATION STUDY AREA

The study area for conducting the capacity recalculation is defined as a segment of roadway approximately 2 mile in length and from a major intersection to another major intersection. The capacity recalculation study area will involve S.R. 7 from Sample Road to Sawgrass Expressway and Lyons Road from Sample Road to Sawgrass Expressway.

CAPACITY RECALCULATION INPUT VARIABLES

The capacity recalculation consists of obtaining localized field traffic data on the subject segment and conducting traffic capacity analysis to increase the available capacity from the existing 51,200 vehicles per day in the TRIPS model. Florida's Level of Service Standards and Guidelines Manual for Planning requires the following six variables as the minimum input:

- Planning analysis hour factor (K100)
- Directional distribution factor (D)
- Number of through lanes
- Left turn bays
- Signalized intersections per mile
- Weighted effective green time to cycle length (g/C)

In conducting the capacity recalculation, field data were collected for the above six variables and the followings:

- Peak hour factor (PHF)
- Free flow/design speed
- Cycle length

These nine variables were characterized into three groups, traffic variables, roadway variables, and signalization variables.

CAPACITY RECALCULATION ANALYSIS AND RESULTS

The above variables will be inputted to ARTPLAN and ARTTAB to determine the operating level of service and capacity of the subject segment. The ARTPLAN analysis will indicate the applicable level of service and the ARTTAB analysis will indicate the maximum daily capacity.

M. FISCAL IMPACT

Based on the conceptual development plan, current assessments, tax rates and general estimate of site development cost, the revenues for the P.U.D. to the City of Coconut Creek are as follows:

A. PRELIMINARY DEVELOPMENT COST:

1. Construction

a. Land Acquisition	112.5 AC	\$50,000.00	\$ 5,625,000.00
b. Site Clearing and Earthwork	112.5 AC	\$15,000.00	\$ 1,687,500.00
c. Site Improvements	300 SF	\$ 5,000.00	\$ 1,500,000.00
	275 MF	\$ 3,500.00	\$ 962,500.00
d. Home Construction	300 1500 SF	\$ 33.00	\$14,850,000.00
	275 1000 SF	\$ 33.00	\$ 9,075,000.00

Total Cost \$33,700,000.00

Cost Per Unit \$ 58,608.70

2. Permits/Fees

a. Architectural (of Item 1d.)	3.00%		\$ 717,750.00
b. Engineering & Surveying (of Item 1b & 1c)	10.00%		\$ 415,000.00
c. Legal and Accounting (of Total)	5.00%		\$ 1,685,000.00
d. Permit Fees (1% of Site Clearing)	1.00%		\$ 16,875.00
e. Impact Fees (estimated)			
Road		\$214,938.00	
School		\$886,950.00	
Park (County)		\$221,160.00	
Park (City)		<u>\$214,844.00</u>	

\$ 1,537,892.00

Water and Sewer Connection Fees

492.5 \$2,601.75

\$ 1,281,362.00

Estimated Total Cost of Development

\$39,353,879.00

Cost Per Unit \$ 68,441.53

Average Selling Prices

<u># of Units</u>	<u>Lot Size</u>	<u>Avg. # of BR</u>	
115	45 x 90'	3.0	\$115,000.00
125	55 x 100'	3.5	\$130,000.00
60	70x110'	3.5	\$145,000.00
	Average Per Unit		\$127,250.00

Total Tax Base (based on 83.5% Assessment Ratio and 90% Homestead Exemption)

10.00%	\$127,250.00	\$0.00	83.50%	\$106,253.75
90.00%	\$127,250.00	\$25,000.00	83.50%	\$ 85,378.75

Average Assessed Value \$ 87,466.25

Estimated Advalorem Tax Revenue

3.5222 Miles	
4.300 Miles	\$ 376.10

Franchise Fees

Avg. Monthly Bill

Power, Telephone and CATV	10.00%	\$275.00	\$ 330.00
Solid Waste	10.00%	\$ 25.00	\$ 30.00
Gross Revenues per Unit			\$ 736.10
Municipal Service Cost Per Unit			\$ 571.73
Total Net Annual Revenue Per Unit			\$ 164.37
Total Net Annual Project Revenue			\$ 49,311.00

Summary

Total "Income" to the City and County

Impact Fees:

Road	\$214,938.00	
School	\$886,950.00	
Park (County)	\$221,160.00	
Park (City)	\$214,844.00	\$1,537,892.00

Water and Sewer Connection Fees

492.5	\$2,601.75	\$1,281,362.00
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Annual Income \$ 49,311.00

N. DEVELOPMENT STANDARDS/DETAILS

The following design standards are to be incorporated into the development of the P.U.D. The standards/details are as follows:

PUD RESIDENTIAL DEVELOPMENT STANDARDS			
	Single <u>Family</u>	Zero <u>Lot-Line</u>	<u>Apartment</u>
70'x100' (Parcel A) ⁽⁸⁾	X		
55'x90' (Parcel B) ⁽⁸⁾	X		
45'x95 (Parcel C) ⁽⁸⁾		X	
Max. Stories	2	2	4
Min. Lot Width 45 ⁽¹⁾	45 ⁽¹⁾	varies	
Min. Lot Area	5000 ⁽⁸⁾	4300 sf	varies
Min. Front Yard (Parcel A)	20' to living area 25' to garage ⁽⁵⁾	10' to living area 20' to garage ⁽⁵⁾	5'/story 10' min.
Min. Front Yard (Parcel B)	10' to living area 20' to garage		
Min. Side Yard ⁽⁷⁾	5.0 ⁽³⁾	10.08 ⁽⁶⁾	5'/story 10' min.
Min Rear Yard ⁽⁷⁾	20 ⁽²⁾ (4) ⁽⁹⁾	10'	10'/story
Min. Unit Size	1000 sf (2 bed) 1200 sf (3 bed) 1400 sf (4 bed) (dens = bdrms)	1000 sf (2 bed) 1200 sf (3 bed) 1400 sf (4 bed)	600 sf (EFF) 700 sf (1 bed) 850 sf (2 bed) 1000sf(3 bed)
Rear to Rear	40'	20'	10'/story
Rear to Side	27.5'	15'	10'/story
Side to Side	10.08 ⁽³⁾	10.08'	varies

NOW APPROX
200 SF
LARGER

- (1) Individual lot widths may vary up to 15' within the range of minimum lot widths. No lot to be less than 40' in width measured at the front setback line for lots on cul-de-sacs and curvilinear lots.
- (2) For lots with a curvilinear building setback line, the building may be placed within the area between the arc and a chord connecting the side setback lines.
- (3)
 - a. Minimum 15' side-to-side building separation for Parcel A
 - b. Minimum 10' side-to-side building separation for Parcel B
 - c. Minimum 20' setback on street side corner lots
- (4) Roof overhang shall be allowed to extend not more than 5' into rear setback area, provided this area is not used as a living area, and not enclosed, ie. except for screen enclosures.
- (5) Min. 20' to side loaded garages. Parcel A min. 25' to front loaded garages.
- (6) Minimum side yard setbacks:
 - 0.0' for units with no opening in side wall
(Ref. S. Florida Building Code, Broward County Edition)
 - 10.08' for units with openings in side wall
(Ref. S. Florida Building Code, Broward County Edition)
- (7) Air conditioning units, irrigation pumps, concrete pads may encroach within setback areas, but not within easements.
- (8) Parcel A minimum lot size = 7500 sf
Parcel B minimum lot size = 5000 sf
Parcel C minimum lot size = 4300 sf
- (9) Minimum 10' rear yard set-back to any structure for Parcel B, exclusive of Note (4).

5500 SF MIN

Landscape Standards

The City Zoning Regulations specifies landscape standards and requirements. Landscaping shall comply with the requirements as specified in the Zoning Regulations. Installation of landscape improvements and compliance with these landscaping standards shall be controlled by the Master Homeowner Association and the City of Coconut Creek.

Parking and Loading Standards

To provide sufficient parking and loading to all uses within the project, parking and loading shall comply with the applicable criteria of the City of Coconut Creek Code.

Signage and Lighting Standards

Signage - For uniformity, the Master Homeowner Association will control the design and installation of signs within the project. Signs shall also be constructed in accordance with the Regulations for the Use and Control of Signs, City Zoning Regulations.

Lighting - Lighting standards and requirements shall also be controlled by the Master Homeowners Association and comply with the City Zoning Regulations.

Fencing

All fences proposed within the P.U.D. shall be green coated vinyl chain link fence with landscaping in front of fence. The height of said fence shall not exceed 6' in any circumstance.

Miscellaneous

The City of Coconut Creek clear and grub permits shall be required prior to any clearing activities. Tree removal permit(s) shall be required prior to tree removal/relocation activity. The site shall be cleared of all invasive/exotic vegetation prior to certificate of occupancy(ies).

The City of Coconut Creek landscape code requirements at time of site plan approval for Parcels D, E, F & G must be complied with. Parcels A, B & C shall comply with the landscape code requirements prior to the issuance of building permits. The City of Coconut Creek shall control compliance with the landscape requirements, standards, and installation for residential and commercial parcels. Fully detailed landscape plans must be approved by the City of Coconut Creek

prior to any landscape installation and landscape plans shall be signed, dated and sealed by a Florida Registered Landscape Architect.

All amendments to the PUD/site plan shall be agendalized for City Commission review and approval.

The architectural roof treatment for the residential portion of the P.U.D. shall be cement tile with "S" tiles offered as an option.

Water use permits will be required from South Florida Water Management District for wells and/or irrigation source withdrawal from canals for all non-single family residential construction projects.

PUD
COMMERCIAL DEVELOPMENT STANDARDS

The commercial property located within the P.U.D. shall be developed within the requirements of the Commercial B-3 zoning category (Section 13-344). Permitted uses and special land uses designated herein are those uses so designated in one or more of the standard zoning districts described by the City Zoning Code. Special land uses shall be in accordance with Section 13-35 of the City Zoning Code.

The development standards for special land uses are as follows:

1. Setbacks and landscape buffers shall be provided as required by Section 13-344 of the City Zoning Code. Except there shall be a 25' landscape buffer adjacent to S.R. 7.
2. Signage shall be consistent with the regulations for the Use and Control of Signs of the City Zoning Code.
3. Safe and proper access shall be provided in accordance with the Site Plan and Final Plat for the Building Parcel as approved by the City.
4. Architectural design will be consistent with the Declaration of Covenants, Conditions and Restrictions for the P.U.D.
5. Nuisance abatement shall be provided in accordance with Section 13-522 through Section 13-523 of the City Zoning Code and regulated by the Master Homeowners Association.
6. Proper security shall be regulated by the Master Homeowners Association in coordination with the Coconut Creek Public Safety Department.
7. Public safety shall be enhanced by providing property lighting in accordance with Section 13-374 of the City Zoning Code. Storage of flammable material shall be in accordance with Section 13-529 of the City Zoning Code.
8. Drive-through facilities shall be developed in accordance with the following:
 - a). Orientation shall be away from less intensive uses.

- b). Drive-through canopies may be located within five (5) feet of the Building Parcel boundary so long as the primary structure complies with the property building setbacks and the five (5) feet is fully landscaped with one (1) tree per forty (40) lineal feet and a continuous hedge, berm or combination thereof to provide a visual screen at least three (3) feet in height.
- c). Drive-through facilities shall provide stacking lanes consisting of a minimum of 100 feet for each of the first two (2) lanes and a minimum of sixty (60) feet for each lane after the first two (2) lanes.
- d). Drive-through facilities must be located within the same Building Parcel of the primary structure that it serves, but need not be located with a direct physical connection to the primary structure.
- e). A bypass lane shall be provided to allow for vehicular circulation unless this land is accommodated by other accessways indicated on the Site Plan.

Landscape Standards

Property and adequate landscaping will enhance the required open space and overall environment of the project. Article III, Subdivision IV, of the City Zoning Code specifies landscape standards and requirements according to commercial and office. For the purpose of this project, landscaping for commercial and office uses shall comply with the requirements for B and O zoning districts as specified in the Zoning Regulations. Installation of landscape improvements and compliance with these landscaping standards shall be controlled by the Master Homeowners Association.

Parking and Loading Standards

To provide sufficient parking and loading to all uses within the project, parking and loading shall generally comply with the applicable criteria of Article III, Zoning Regulations, Subdivision II. Parking Regulations and Requirements except for the following.

1. Standard parking spaces shall be a minimum of nine (9) feet in width to accommodate the trend of smaller vehicles and to provide for the additional landscaped areas within the project.

Signage and Lighting Standards

Signage - For uniformity, the Association will control the design and installation of signs within the project. Signs shall also be constructed in accordance with Article III, Subdivision V, Regulations for the Use and Control of Signs, City Zoning Regulations. Commercial and office uses shall comply with the requirements for B and O zoning districts as applicable as specified by the City Zoning Regulations.

Lighting - Lighting standards and requirements shall also be controlled by the Master Homeowners Association and comply with Section 13-374 of the City Zoning Regulations.

PARCEL G

Parcel G, although not a part of the P.U.D. will be developed utilizing the same design and architectural standards as the P.U.D.

O. EXHIBITS

LEGAL DESCRIPTION FOR P.U.D. REZONING FOR WILES/BUTLER PROPERTY

BEING PORTIONS OF BLOCK 86 AND BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

TRACT 5, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS AND EXCEPT THE EAST 630 FEET THEREOF.

PARCEL B

THE WEST 300 FEET OF THE EAST 630 FEET OF TRACT 5, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL C

THE EAST 330 FEET OF TRACT 5, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL D

TRACT 6, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL E

THE EAST ONE-HALF OF TRACT 7, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL F

THE WEST ONE-HALF OF TRACT 7, BLOCK 89, PALM BEACH FARMS COMPANY'S PLAT NO.

3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION CONVEYED BY QUIT CLAIM DEED IN O.R. BOOK 4369, PAGE 216 AND O.R. BOOK 13285, PAGE 748.

PARCEL G

TRACT 77, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL H

THE NORTH ONE-HALF OF THE EAST 330 FEET OF TRACT 78, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL I

THE SOUTH ONE-HALF OF THE EAST 330 FEET OF TRACT 78, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL J

THE WEST TWO-THIRDS OF TRACT 78, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL K

TRACT 79, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO., 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL L

THE SOUTH ONE-HALF OF THE EAST ONE-HALF OF TRACT 80, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL M

THE NORTH ONE-HALF OF THE EAST ONE-HALF OF TRACT 80, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL N

THE NORTH 425 FEET OF THE WEST ONE-HALF OF TRACT 80, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL O

TRACT 80, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS AND EXCEPT THE EAST ONE-HALF AND ALSO LESS THE NORTH 425 FEET OF THE WEST ONE-HALF; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA

PARCEL P

THE EAST ONE-HALF OF THE TRACT 81, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL Q

THE SOUTH ONE-HALF OF THE WEST ONE-HALF OF TRACT 81, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL R

THE NORTH ONE-HALF OF THE WEST ONE-HALF OF TRACT 81, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY; FLORIDA.

PARCEL S

TRACT 82, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL T

THE WEST 330 FEET OF TRACT 83, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL U

THE EAST 330 FEET OF THE WEST 660 FEET OF TRACT 83, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL V

THE SOUTH ONE-HALF OF TRACT 83, LESS THE WEST 660 FEET, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL W

THE NORTH ONE-HALF OF TRACT 83, BLOCK 86, LESS AND EXCEPT THE WEST 660 FEET THEREOF, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL X

TRACT 84, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL Y

THE NORTH ONE-HALF (N 1/2) OF TRACT 85, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES

45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL Z

THE SOUTH ONE-HALF (S 1/2) OF TRACT 85, BLOCK 86, PALM BEACH FARMS COMPANY'S PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TRACT "T" NOT PART OF PUD

~~A PORTION OF TRACT 60 AND 61, OF BLOCK 86 OF "PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~COMMENCE AT THE SOUTHEAST CORNER OF TRACT 77 OF SAID BLOCK 66; THENCE N00°24'54"W, ALONG THE EAST LINE OF SAID TRACT 77, AND ITS NORTHERLY EXTENSION THEREOF, FOR A DISTANCE 774.88 FEET; THENCE S89°37'06"W, ALONG A LINE 40 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF SAID WILBURN ROAD, FOR 1273.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°37'06"W, FOR 280.11 FEET; THENCE N26°35'16"E FOR 23.93 FEET TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST, THE CENTER BEARING N19°29'04"W FROM SAID POINT OF INTERSECTION; THENCE NORTHEASTERLY, ALONG SAID CURVE TO THE LEFT, HAVING FOR ITS ELEMENTS, A CENTRAL ANGLE OF 6°07'44", A RADIUS OF 1840 FEET, FOR AN ARC DISTANCE OF 196.83 FEET TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, THE CENTER BEARING N57°04'12"E FROM SAID POINT OF INTERSECTION; THENCE SOUTHEASTERLY, ALONG SAID CURVE TO THE LEFT, HAVING FOR ITS ELEMENTS, A CENTRAL ANGLE OF 19°35'14", A RADIUS OF 380 FEET, FOR AN ARC DISTANCE OF 129.91 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA AND CONTAINING 0.32 ACRES MORE OR LESS.~~

AND

WILBURN ROAD - PARCEL "A"

A PORTION OF THE WILBURN ROAD RIGHT-OF-WAY LYING BETWEEN TRACTS 60 THROUGH 62 AND TRACTS 77 THROUGH 79, OF BLOCK 86 OF "PAL BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. AND A PORTION OF THE RIGHT OF WAY DEEDED BY OFFICIAL RECORDS BOOK 4201, PAGE 767, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 77; THENCE N00°24'54"W, ALONG THE EAST LINE OF SAID TRACT 77, FOR 674.87 FEET TO THE POINT OF BEGINNING; THENCE

S89°37'06"W, ALONG THE CENTERLINE OF SAID WILBURN ROAD, FOR 1554.11 FEET; THENCE N17°20'23"W FOR 25.33 FEET; THENCE N26°35'16"E FOR 17.70 FEET; THENCE N89°37'06"E, ALONG A LINE 40 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF WILBURN ROAD, FOR 1553.44 FEET; THENCE S00°24'54"E, ALONG THE EAST LINE OF SAID TRACT 62, AND ITS SOUTHERLY PROJECTION THEREOF, FOR 40.01 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA AND CONTAINING 1.48 ACRES MORE OR LESS.

NOTE: ALL OF THE LANDS DESCRIBED ABOVE SITUATE, LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA.

RESOLUTION

WHEREAS, pursuant to a notice of public hearing, duly and regularly advertised in accordance with law, a public hearing was held in the Council Chamber Meeting Room of the County Courthouse in Fort Lauderdale, Florida, on November 19, 1968, at 10:30 A.M. to consider the advisability of releasing and disclaiming all right of the County and the public to and in the following road right of way hereinafter described:

and WHEREAS, after hearing all interested parties and determining that proposed action will not materially interfere with the County road system and will not deprive any person of a reasonable means of ingress and egress to his premises, it was determined that it would be to the best interest of the County to renounce, disclaim, vacate and abandon the public road right of way hereinafter described; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners of Broward County, Florida, that said Board hereby renounces, disclaims, vacates and abandons any right of the County and the public to and in the following described road right of way, situate, lying and being in Broward County, Florida:

A 50 foot road right of way lying between Tracts 81, 82 and 83 of Block 86 and Tracts 8, 9, and 10 of Block 88; and a 30 foot road right of way lying between Tracts 78 and 83, and Tracts 77 and 84 of Block 86, less the North 15 feet thereof, all of the plat of PALM BEACH FARMS as recorded in Plat Book 2 at page 100 of the public records of Palm Beach County, said lands lying and being in Broward County, Florida.

REMARK: Legibility of writing, typing or printing unsatisfactory in this document when microfilmed.

Adopted and Effective this 10th day of December, 1968.

Approved BCC 12/10/68

Submitted By Engineering

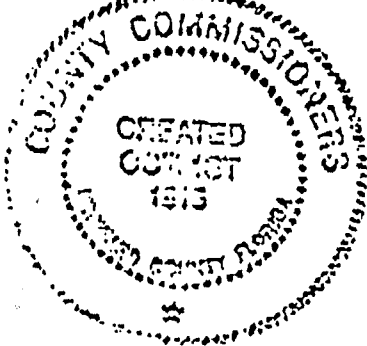
RETURN TO DOCUMENT CONTROL

PAGE 4

STATE OF FLORIDA)
) SS
COUNTY OF FLORIDA)

I, B. JACK OSTERHOLT, County Administrator, in and for
Brevard County, Florida, and Ex-Officio Clerk of the Board of
County Commissioners of said County, DO HEREBY CERTIFY that the
above and foregoing is a true and correct copy of a Resolution
as the same appears of record in the minutes of a meeting
of said Board of County Commissioners held on the 18th day of
December 1968.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal this 17th day of November 1994.



B. JACK OSTERHOLT
COUNTY ADMINISTRATOR

By Heather Stack
Deputy Clerk

(S E A L)

RECORDED IN THE OFFICE RECORDS SECTION
OF BREVARD COUNTY, FLORIDA
COUNTY ADMINISTRATOR

BK228310000

AGREEMENT

THIS AGREEMENT is entered into this 27 day of January, 1995, by and between the City of Coconut Creek, Florida, a Florida municipal corporation (herein after referred to as "City") and Timothy Butler (hereinafter referred to as Developer).

WITNESSETH:

WHEREAS, Developer seeks to develop a certain parcel of real property (The Property) located within the geographical boundaries of the City of Coconut Creek, Florida, as depicted on Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, the Coconut Creek Lane Use Plan designates 93 acres of the residential portion of the Property at five dwelling units per acre or a total of 465 units.

WHEREAS, Timothy Butler has authority to apply for and is applying for a rezoning of the Property to a Planned Unit Development permitting 575 dwelling units and approximately 16.5 acres of commercial use thereon; and

WHEREAS, the City of Coconut Creek Land Use Plan has reserve units (hereinafter Reserve Units) as defined in and in conformance with Broward County Land Use Plan in Flexibility Zone 32, as described in the Broward County Land Use Plan; and

WHEREAS, the City has the full right, power and authority, upon such terms and conditions as may be mutually agreed upon by and between the City and Developer to transfer and assign 110 Reserve Units to the Property; and

WHEREAS, Developer has requested that the City transfer and assign said 110 Reserve Units to the POD D (the multifamily parcel) which has State Road #7 frontage within the Property as conceptually shown, so that, upon such transfer and assignment, the Property may be developed in accordance with the approved Planned Unit Development (PUD) consisting of 575 dwelling units; and

WHEREAS, the City has determined that it is in the best interests of the parties to transfer and assign 110 Reserve Units to the Property to provide for a total of 575 units on the Property,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound hereby, do hereby agree as follows:

1) RECITALS:

That the foregoing recitals are true, accurate and correct and are incorporated herein by reference.

2) ALLOCATION OF RESERVE UNITS

The City shall transfer 110 Reserve Units to the Property subject to the terms and conditions contained herein. DEVELOPER may utilize as many of the 110 Reserve Units as are necessary to assure that the Plat approved by the City and Broward County and the PUD approved by the City permits the development of a maximum of 575 residential dwelling units in compliance with the "City of Coconut Creek Comprehensive Plan, Future Land Use Element" and the "Broward County Land Use Plan."

3) TRANSFER OF FUNDS:

Developer shall pay the City the sum of \$385,000 for said 110 reserve units. Said amount is calculated by multiplying the 110 Reserve Units transferred herein times \$3,500.00 per unit. Said payment shall be made in the form of a cashier's check and forwarded to the Director of Finance and Administrative Services at 1071 Northwest 45th Avenue, Coconut Creek, Florida 33066 in the amount of \$3,500.00 for each dwelling unit for which a building permit is issued in POD D (the multifamily parcel) of the PUD for the 110 Units covered by this Agreement.

The payment described herein shall constitute consideration in exchange for which the City shall transfer the Reserve Units and shall provide services to the additional residents who will reside in said 110 units and to otherwise help offset the impact of the additional 110 units which will be made available for development as described herein.

4) CITY'S OBLIGATIONS:

The City agrees to cause the City staff and City Attorney to make their best efforts, to the extent legally permissible, to assist Developer in obtaining all approvals, permits and consents that may be necessary to effectuate the transfer of the above described Reserve Units. The provisions of this paragraph shall not be deemed to contractually obligate nor affirmatively require the City to issue any City or City Advisory Board approvals, consents or take any other affirmative action.

5) CANCELLATION OF AGREEMENT

In the event Developer defaults in the delivery of the cashier's check described in Paragraph 3 above, or gives written notice to the City of their intention to default, the City shall have no further obligation or duty under this Agreement and this Agreement shall, at the discretion of the

City, become null and void. Upon such default, Developer hereby agrees that the City shall rescind the PUD Zoning Ordinance No. _____, and any other ordinance or resolution adopted which relates to the development of the Property. This shall be the City's sole and exclusive remedy in the event of default on the part of the Developer.

It is expressly understood by the parties that in the event this Agreement is terminated as set forth herein, Developer shall not be permitted to claim any right to the transfer of the Reserve Units described above, nor to any damages related thereto, based on any legal theory including, but not limited to, breach of contract, estoppel or reliance due to expenditures made toward the development of the above described project.

6) CITY'S RIGHTS:

This Agreement is not intended to supersede or constitute a waiver by the City of the City's right to levy and collect any other valid and legally permissible taxes, charges and fees customarily levied and collected by the City and further, it is not intended to constitute a waiver by the City of the City's right to require all permits, approvals and all normal and regular development procedures as set forth in the Coconut Creek Land Development Code and all other applicable regulations.

7) ASSIGNABILITY:

This Agreement shall not be assignable by either party without the written consent of the other party which approval shall not be unreasonably withheld.

8) CONSTRUCTION OF AGREEMENT:

The language in all parts of this Agreement shall, in all respects, be construed as a whole, according to its fair meaning and not strictly for or against either the City or Developer. If any term or provision of this Agreement or the application thereof to any party, person or circumstance shall, to any extent, be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to the parties, persons or circumstances, other than those as to which it has been held invalid or enforceable, shall not be effected thereby, and each term and provision in this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

9) GOVERNING LAW:

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

10) WAIVER:

A waiver of any breach of any provision of this Agreement shall not constitute or operate as a waiver of any other breach of such provision or of any other provisions, nor shall any failure to enforce any provision hereof operate as a waiver of such provision or of any other provision.

11) DRAFTING:

This Agreement has been negotiated and drafted by all parties hereto and shall not be more strictly construed against any party because of such parties' preparation of this Agreement.

12) REPRESENTATION BY COUNSEL:

All parties to this Agreement have been represented by their respective counsel. The parties hereto acknowledge having read this Agreement and discussed the terms of this Agreement with their respective counsel and elected officials (in the City of Coconut Creek) and that the approval and execution of this Agreement has been made freely and voluntarily with full knowledge of its legal effect.

13) SUCCESSORS:

This Agreement shall be binding upon the parties hereto and their successors.

14) AUTHORSHIP:

In the event it becomes necessary for any reason to construe this Agreement as permitted by the rules of evidence of the State of Florida, this Agreement will be construed as being jointly prepared and drafted by all parties hereto.

15) COMPLETE AGREEMENT:

It is intended by the parties hereto that this Agreement contains the complete understanding of the parties with respect to the subject matter contained herein and any amendments, alterations or additions hereto shall be valid, only if in writing, executed by the parties.

11) EFFECTIVE DATE:

This Agreement shall become effective on the date that the City of Coconut Creek approves a rezoning of the Property pursuant to an application submitted by Developer. If no such rezoning to PUD is approved by the City prior to June 1, 1995, this Agreement shall be null and void.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and date above first written.

CITY OF COCONUT CREEK, FLORIDA

By: _____
City Manager

Date: _____

ATTEST:

City Clerk

Approved as to legal form
and sufficiency:

City Attorney

Gary A. Peterson

Witness

Blake M. To

Witness

By: *Timothy Butler*

Date: *1/27/95*

State of Florida)
) SS.
County of Broward)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared _____, known to me to be the person described in and who executed the foregoing instrument as City Manager of the City of Coconut Creek, Florida, a Florida municipal corporation, and he acknowledged before me that he executed the same.

WITNESS my hand and notarial seal in the State and County aforesaid this ____ day of _____, 1995.

Signature of Notary Public

Printed or Typed Name of Notary

Notary Commission No.

My commission expires:

State of Florida)
) SS.
County of Broward)

I HEREBY CERTIFY that on this date, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgement, personally appeared Timothy Butler, well known to me to be the person described in and who executed the foregoing instrument as individual and agent for all owners and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State aforesaid, this 27 day of January, 1995.

George A. Patterson
Signature of Notary

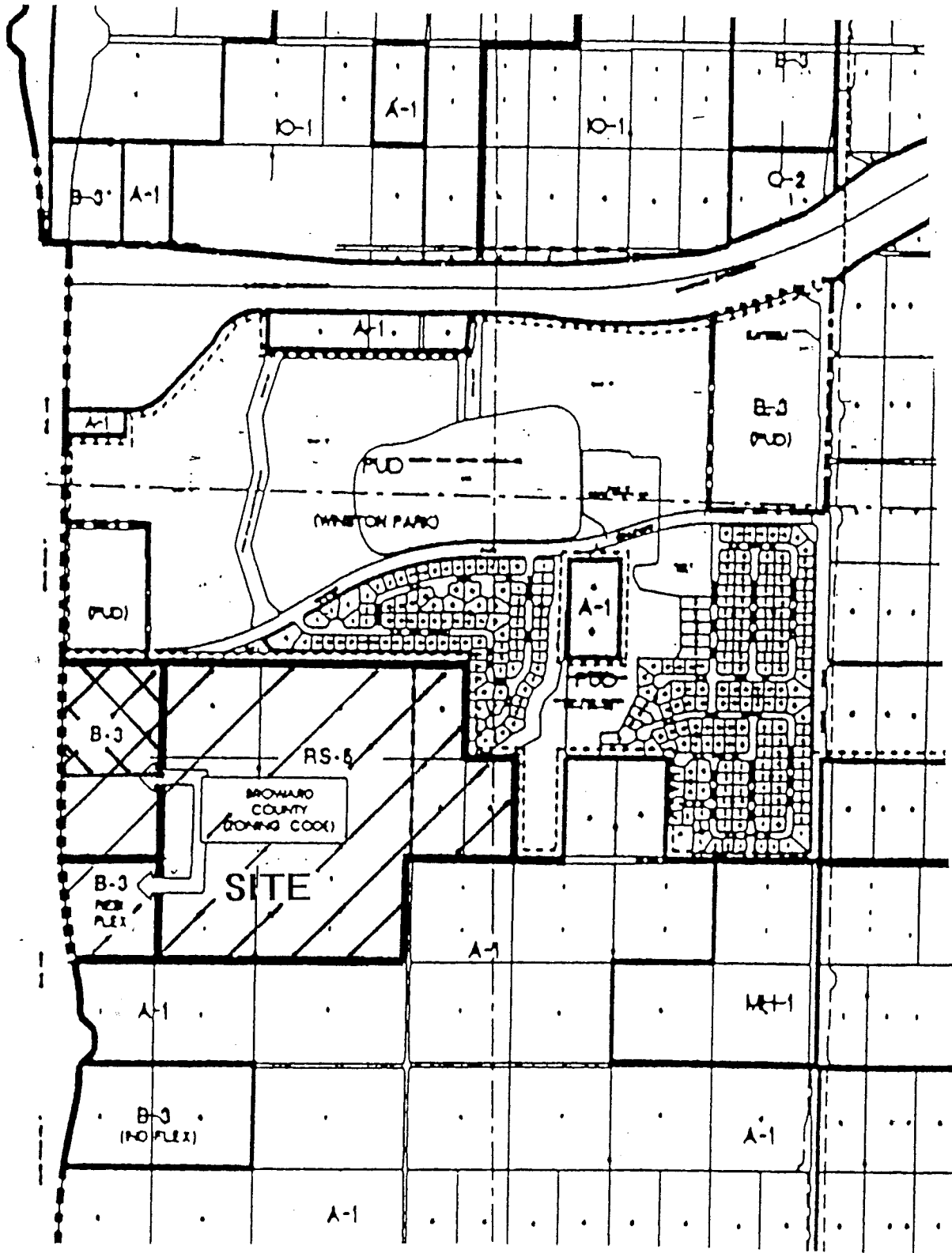
GEORGE A. PATTERSON
Printed or Typed Name of Notary

Notary Commission No.

My commission expires:



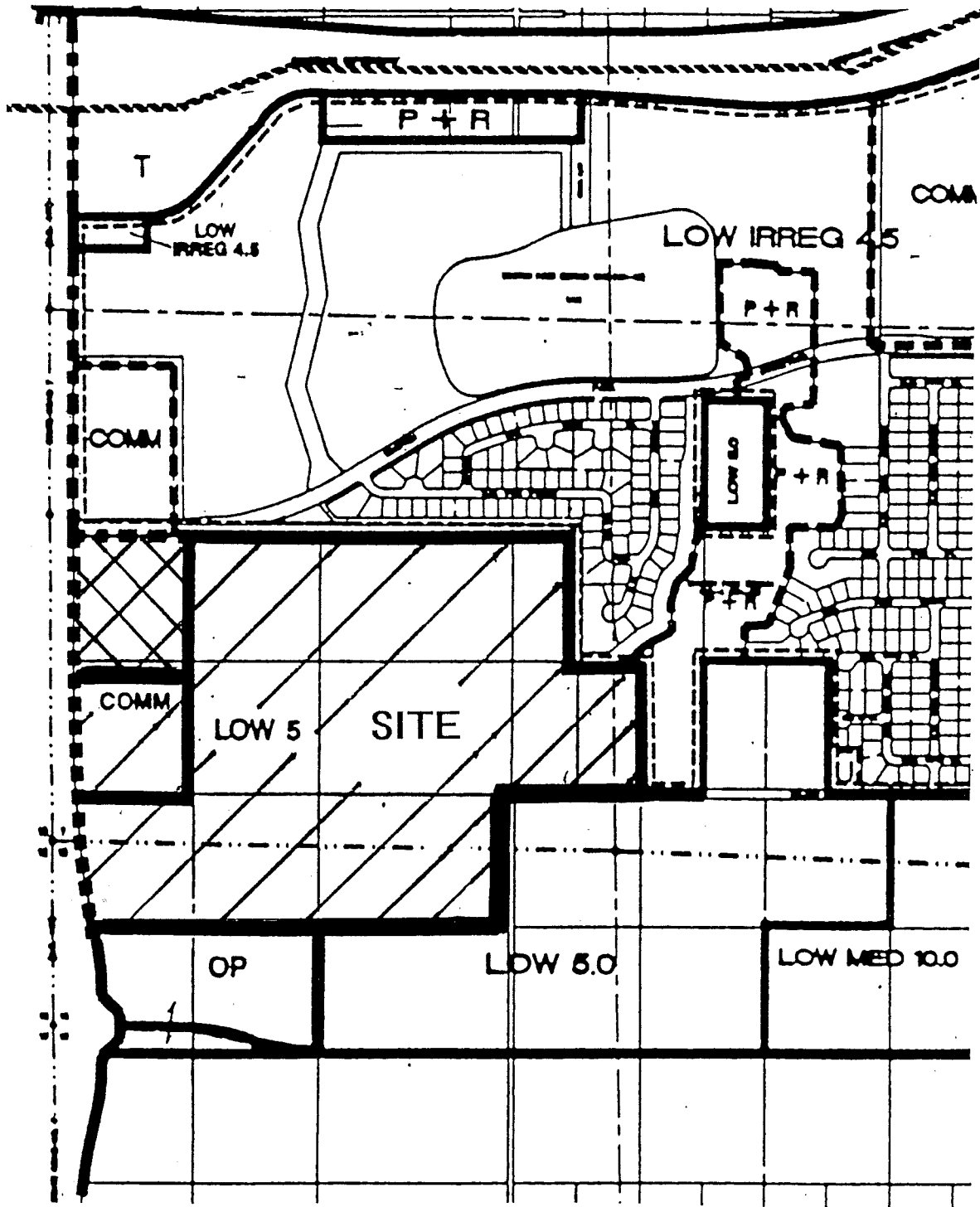
GEORGE A. PATTERSON
MY COMMISSION # CC420918 EXPIRES
December 16, 1998
BONDED THRU TROY FAH INSURANCE, INC.



WILES/BUTLER
PUD

HPT CONSULTANTS, INC.

COCONUT CREEK
ZONING

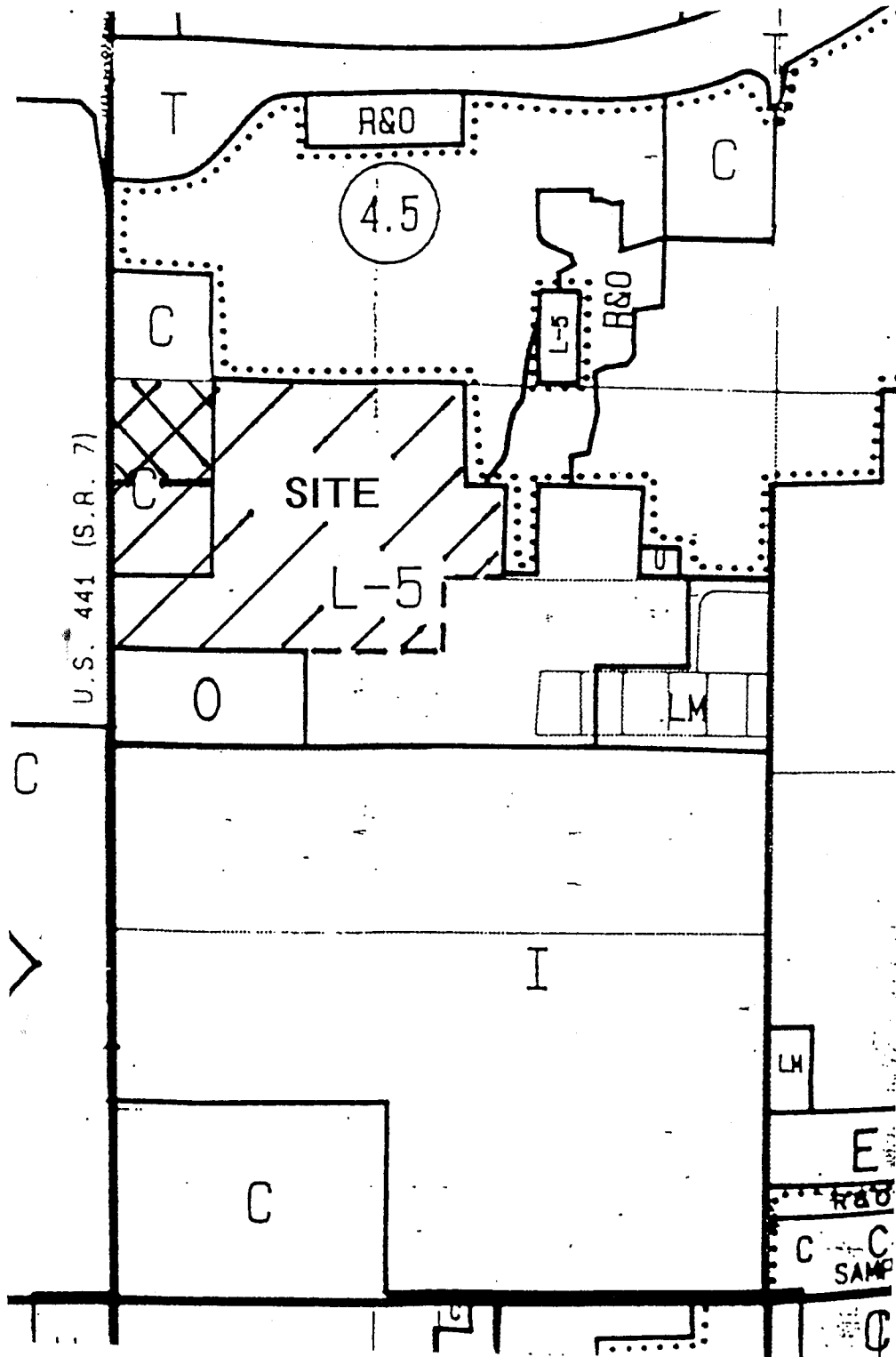


WILES/BUTLER
PUD

HPT CONSULTANTS, INC.

COCONUT CREEK

LAND USE



WILES/BUTLER
PUD

HPT CONSULTANTS, INC.

BROWARD COUNTY
LAND USE



PROFESSIONAL ENGINEERING

Land Development • Environmental
Governmental

2295 Corporate Blvd, N.W. • Executive Court One, Suite 215
Boca Raton, FL 33431 • Tel 407-998-0955 • Fax 407-241-4934

JOB BUTLER TRACT

SHEET NO. 1 OF 2

CALCULATED BY HPT DATE 11-29-94

CHECKED BY _____ DATE _____

SCALE _____

BACKBONE SYSTEM

II. SANITARY SEWER

A. 8" PVC SEWER

10'-12'	1025 LF @ 16.00	16,400
12'-14'	775 LF @ 18.00	13,950
14'-16'	750 LF @ 21.50	16,125

B. MH

10'-12'	5 EA @ 1750 EA	8750
12'-14'	4 EA @ 2250 EA	9,000
14'-16'	3 EA @ 3500 EA	10,500

C. LIFT STATION

LS 125,000

D. FORCE MAIN

6" DIP 2000 LF @ 14.00 LF 28,000

E. TIE TO EXIST. SYSTEM

LS 3,000

F. MOB. COLLARS - TESTING

2500

233,225

III. WATER DISTRIBUTION

12" DIP MAIN	3000 LF @ 26.00	78,000
8" DIP MAIN	3600 LF @ 15.00	54,000
12" G.V.	6 EA @ 1600.00	9,600
8" G.V.	9 EA @ 700.00	6,300
SAMPLE POINT/BO	4 EA @ 350 EA	1,400
FH	6 EA @ 1500 EA	9,000
FITTINGS	2.4 TN @ 2000 TN	4,800

163,100



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Governmental

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Boca Raton, FL 33431 • Tel 407-998-0955 • Fax 407-241-4934

JOB BUTLER TRACT

SHEET NO. 2 OF 2

CALCULATED BY HPT DATE 11-29-94

CHECKED BY _____ DATE _____

SCALE _____

BACKBONE SYSTEM

III. PAVING, DRAINAGE

BASED ON AN 80' R/W WITH 2
LANE SECTION WITH PAVED SHOULDERS
AND 5' SIDEWALK ON ONE SIDE
\$ 90.00 PER LF (INCL. DRAINAGE)

$$3600 \text{ LF} @ \$90.00 / \text{LF} = \$324,000$$

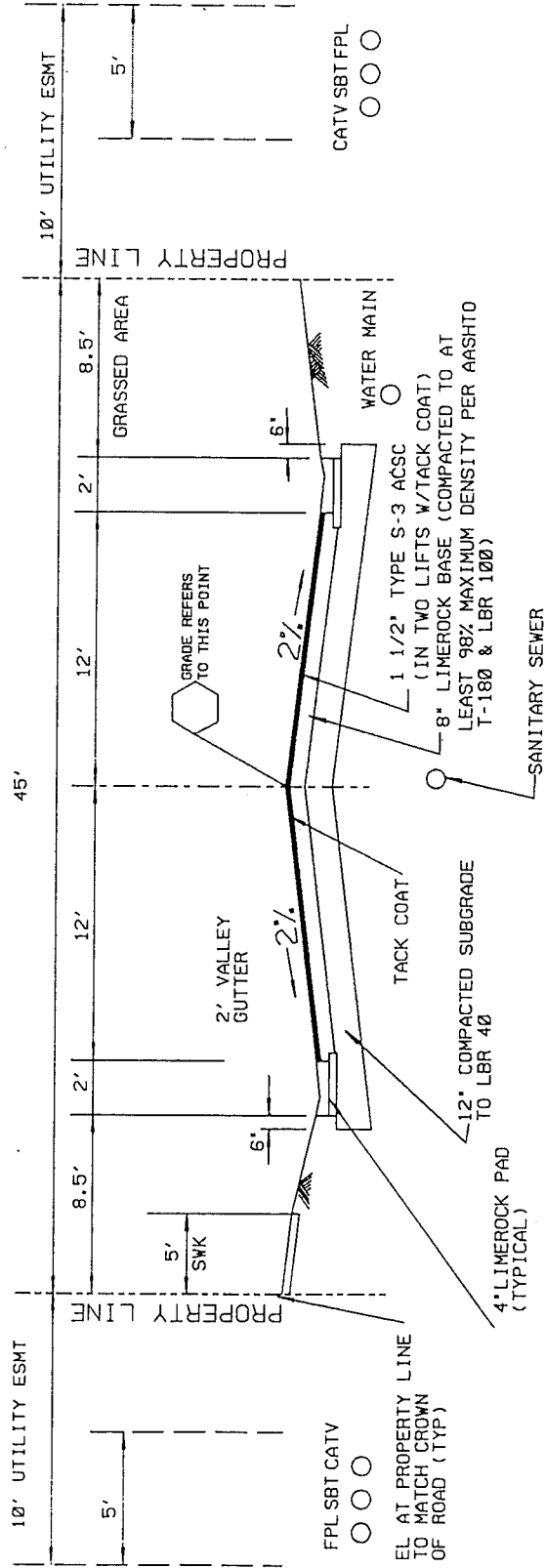
EQUAL. PIPES

48" RCP 250 LF @ 50 LF 12,500

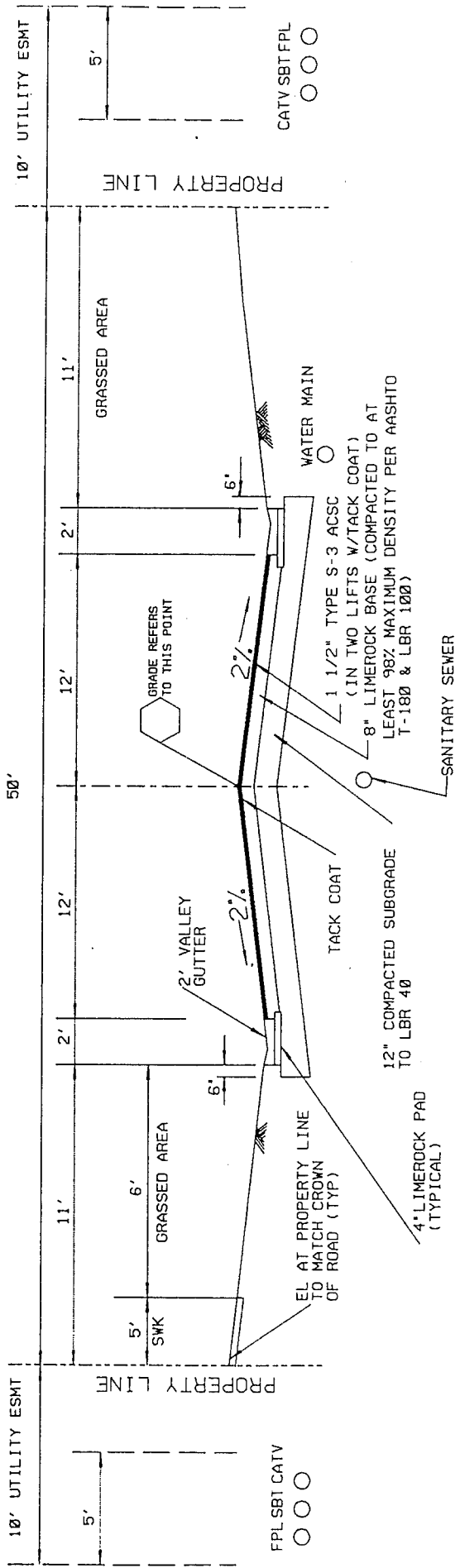
RIP-RAP END WALL 4 @ 1,000 4,000

\$340,500

TOTAL \$736,825

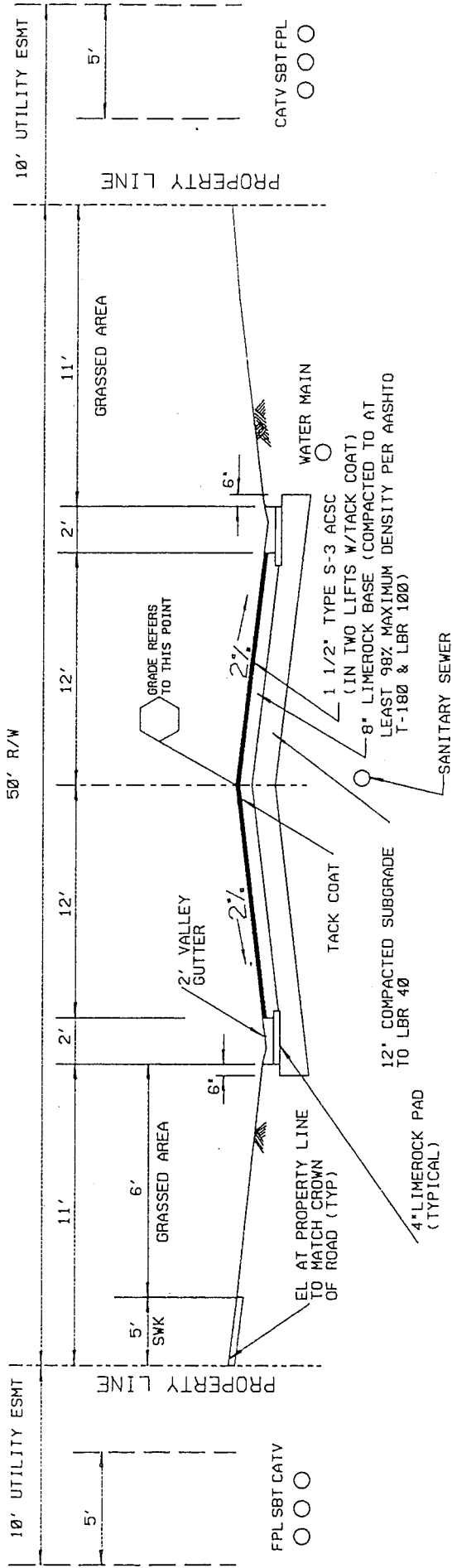


TYPICAL 45' INGRESS/EGRESS AND UTILITY EASEMENT TRACT
(PRIVATE)

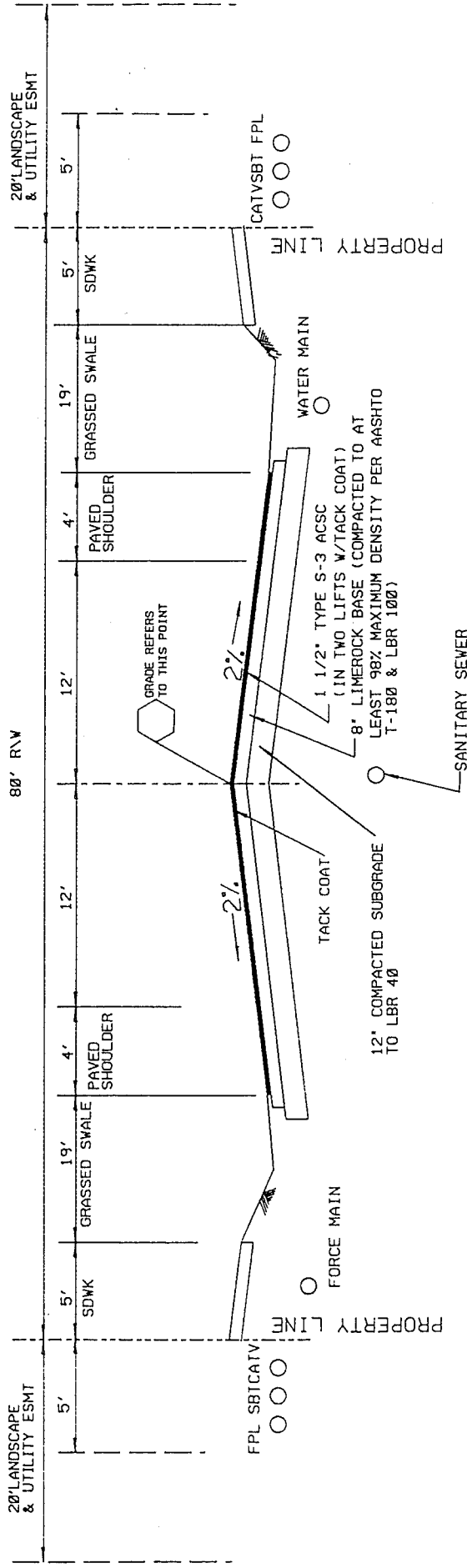


TYPICAL 50' INGRESS/EGRESS AND UTILITY EASEMENT TRACT

(PRIVATE)



TYPICAL 50' R/W
(PUBLIC)



TYPICAL 80' R/W

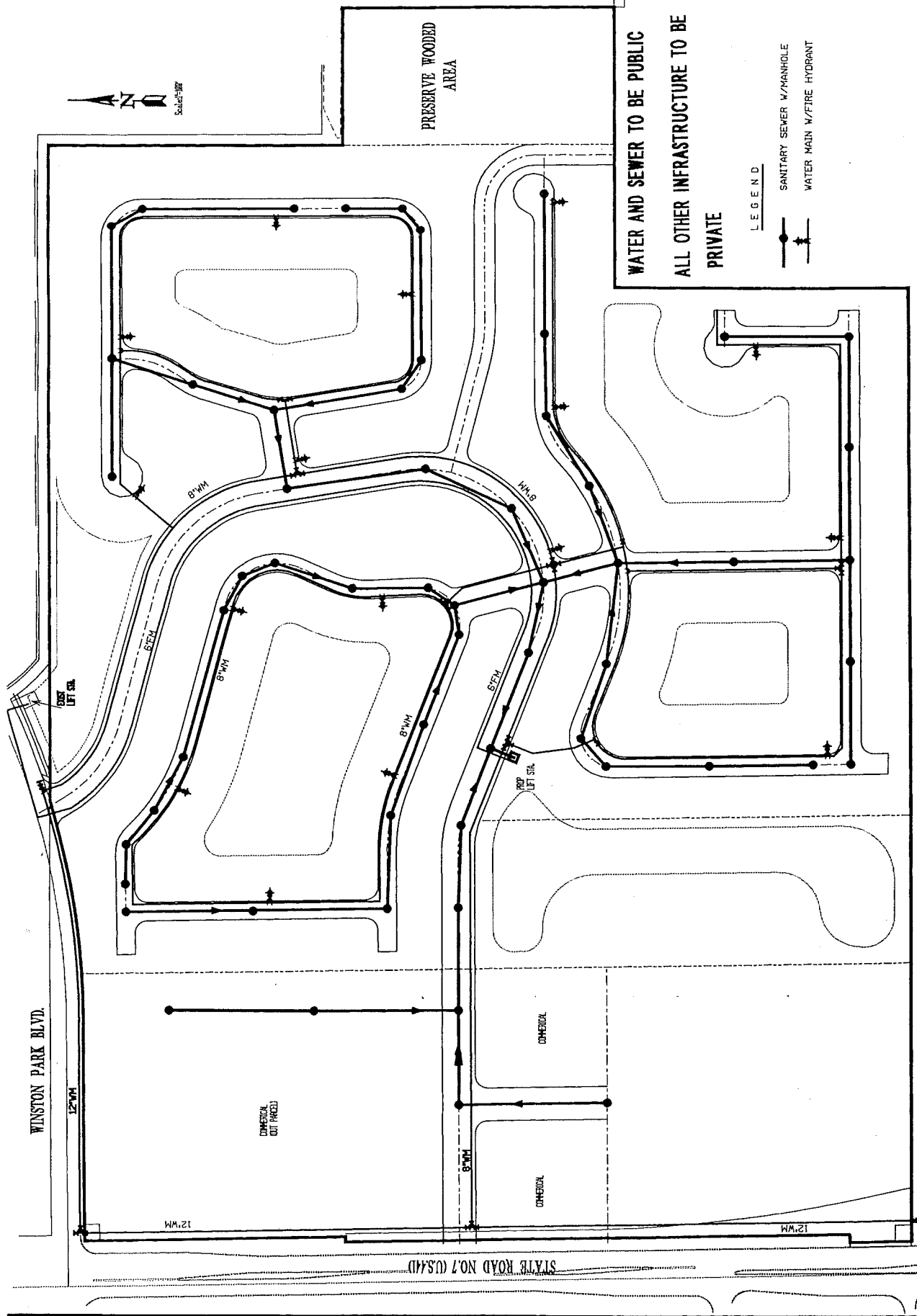
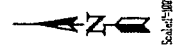
(PUBLIC)



PROFESSIONAL ENGINEERING
Land Development
1500 Corporate Blvd., Suite 100, Boca Raton, FL 33431 (561) 993-9944

WILKS-BUTLER
MASTER UTILITY PLAN

JOB NO:
DATE: 08/17/09



WATER AND SEWER TO BE PUBLIC
 ALL OTHER INFRASTRUCTURE TO BE PRIVATE

LEGEND
 SANITARY SEWER W/MANHOLE
 WATER MAIN W/FIRE HYDRANT

STATE ROAD NO.7 (U.S.41)

WINSTON PARK BLVD.

COMMERCIAL PLOTS TO INCLUDE
CULTIVATED AREAS FOR SOYBEAN
AND WHEAT AND OTHER CROPS.

COMMERCIAL

COMMERCIAL

COMMERCIAL

LAKE

LAKE

LAKE

LAKE

LAKE

LAKE

MAIN DRAINAGE FLOW WAY

MAIN DRAINAGE FLOW WAY

STUB OUT FOR FUTURE
DRAINAGE CONNECTION

PRESERVE WOODED
AREA

CONNECTION TO
EXISTING

Scale: 1/8" = 1'-0"

LEGEND
DRAINAGE PIPE & FLOW DIRECTION

DATE: 11/15/05
SHEET 01



HPT
CONSULTANTS INC.

250 CORPORATE BLVD., N.W., EXECUTIVE COURT ONE SUITE 214 BOCA RATON, FL 33481 (407) 998-4964

PROFESSIONAL ENGINEERING
Land Development Environmental
Governmental

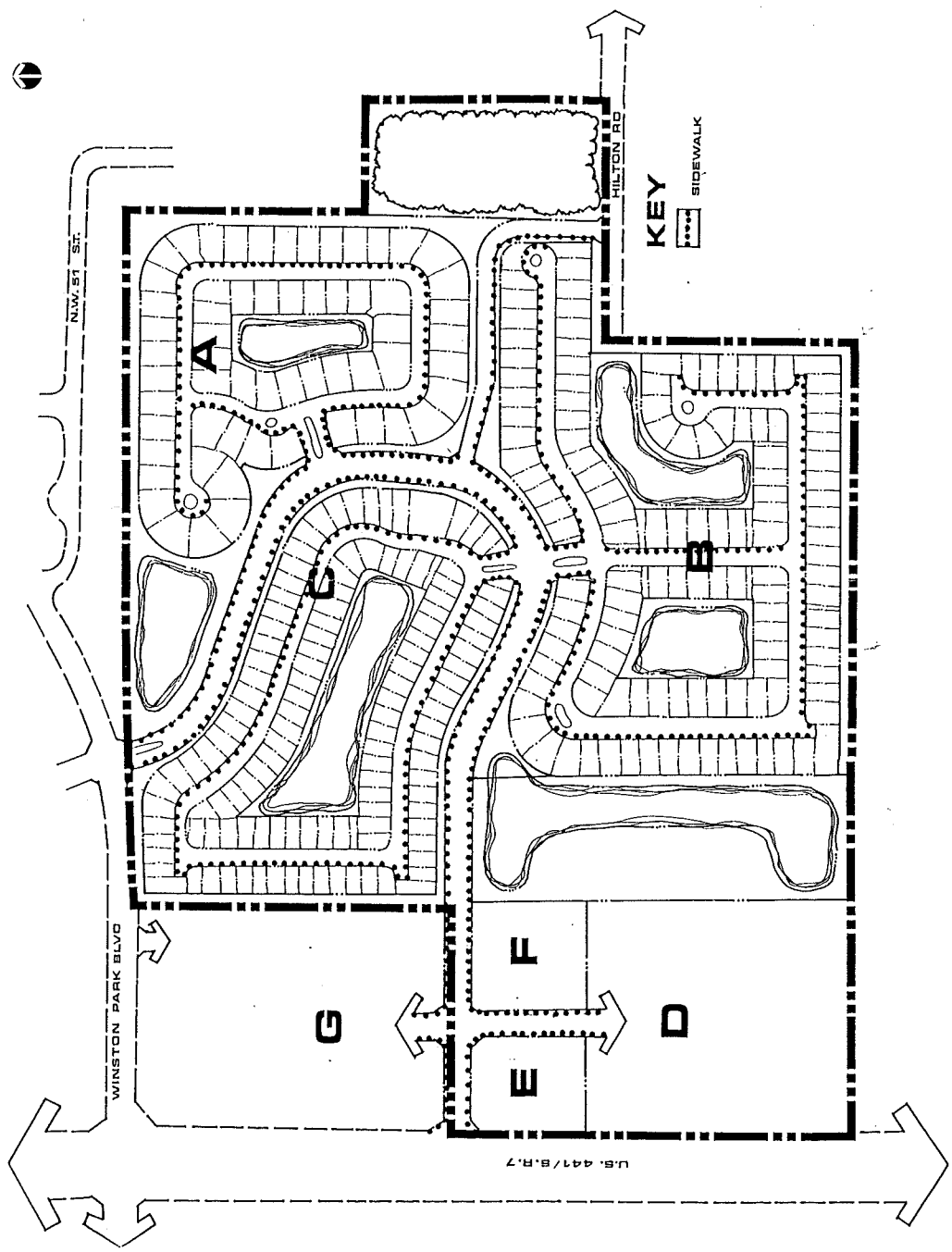
WILES-BUTLER
WATER DRAINAGE PLAN

REVISIONS:

JOB NO.
DATE: 11/15/05

WILES/BUTLER PUD

MASTER SIDEWALK PLAN



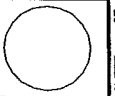
PROFESSIONAL ENGINEERING
 Land Development
 (Professional Seal)

2395 CORPORATE BLVD, N.W., EXECUTIVE COURT ONE SUITE 313 BOCA RATON, FL 33431 (561) 994-9944

WILES/BUTLER PUD

REVISION:

JOB NO:
 DATE:



HPT CONSULTANTS INC.

1246 CORPORATE BLVD. N.W. ALPHARETTA, GA 30201 (404) 487-9944

PROFESSIONAL ENGINEERING
Land Development Engineering
Governmental

WILES/BUTLER PUD









REVISION:

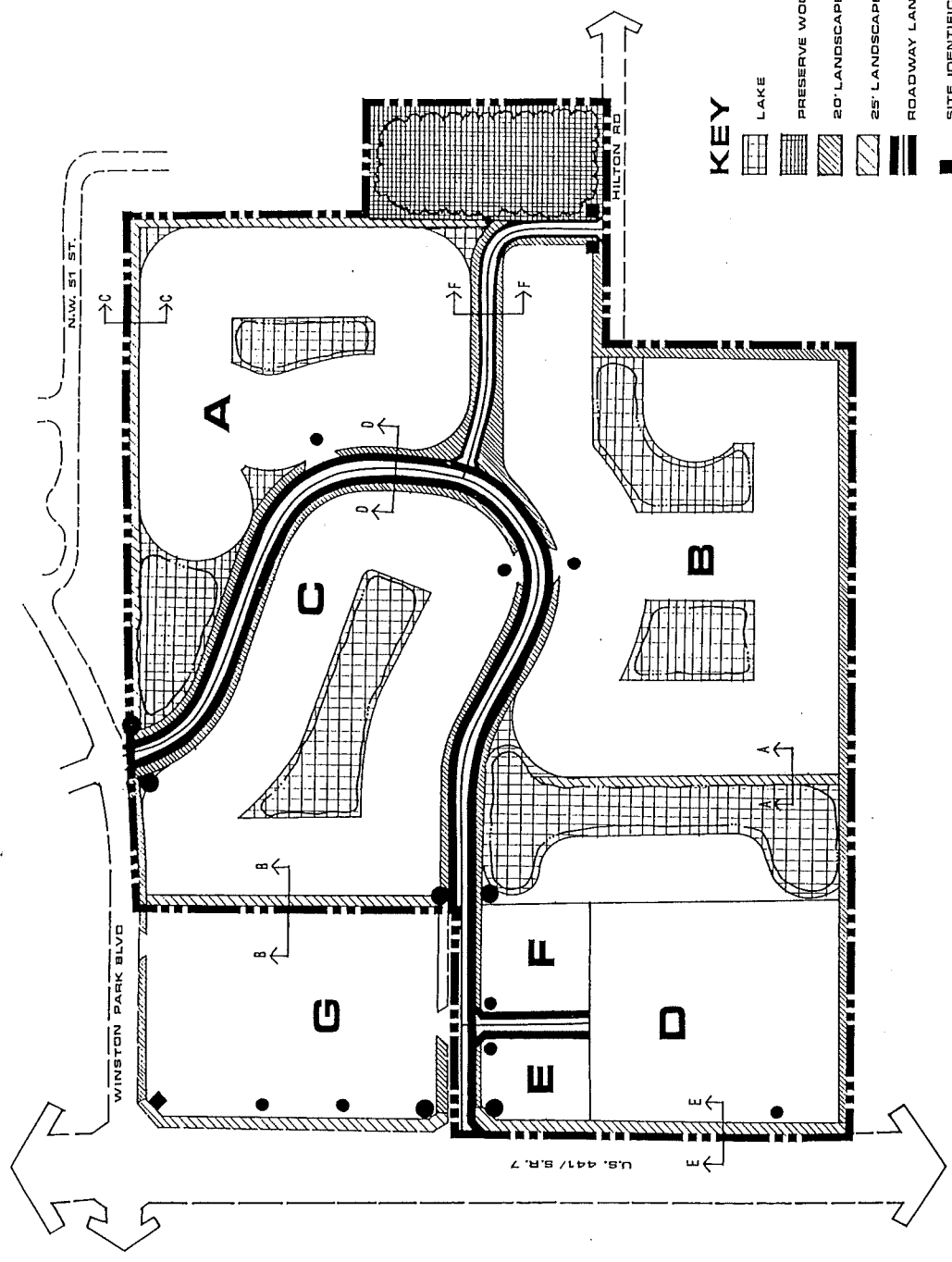
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DATE:

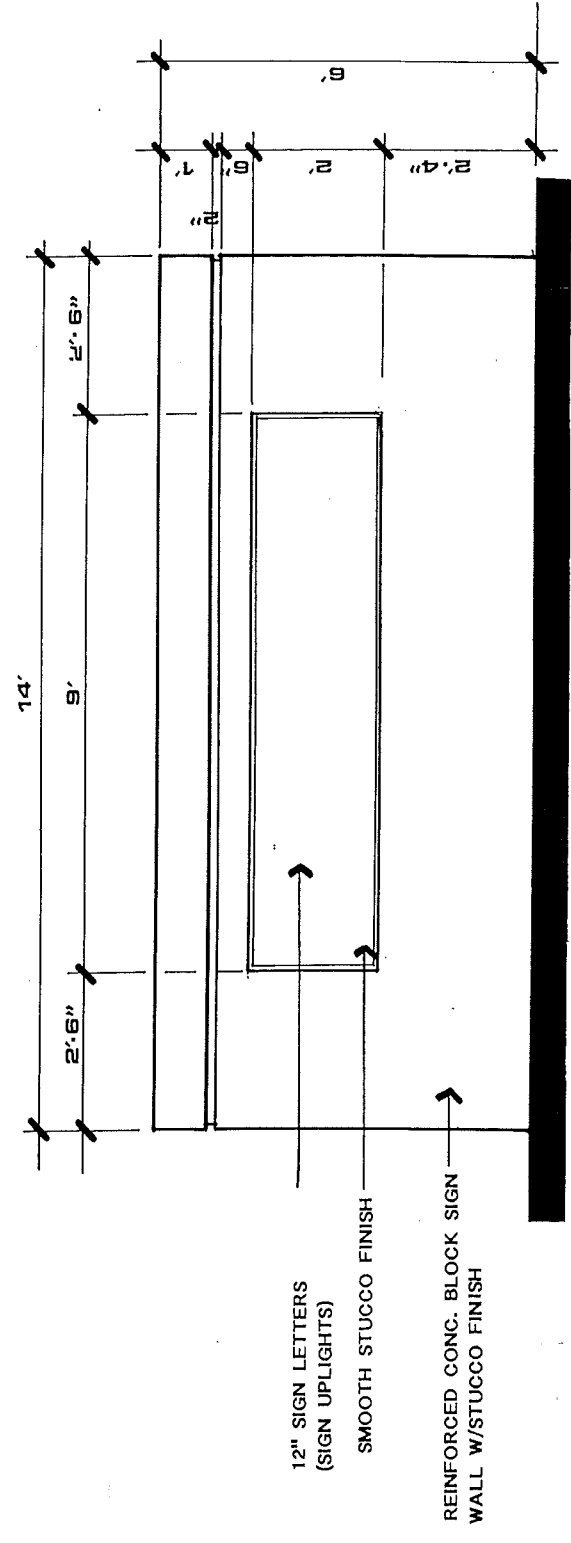
WILES / BUTLER PUD

SITE SIGNAGE / OPEN SPACE PLAN

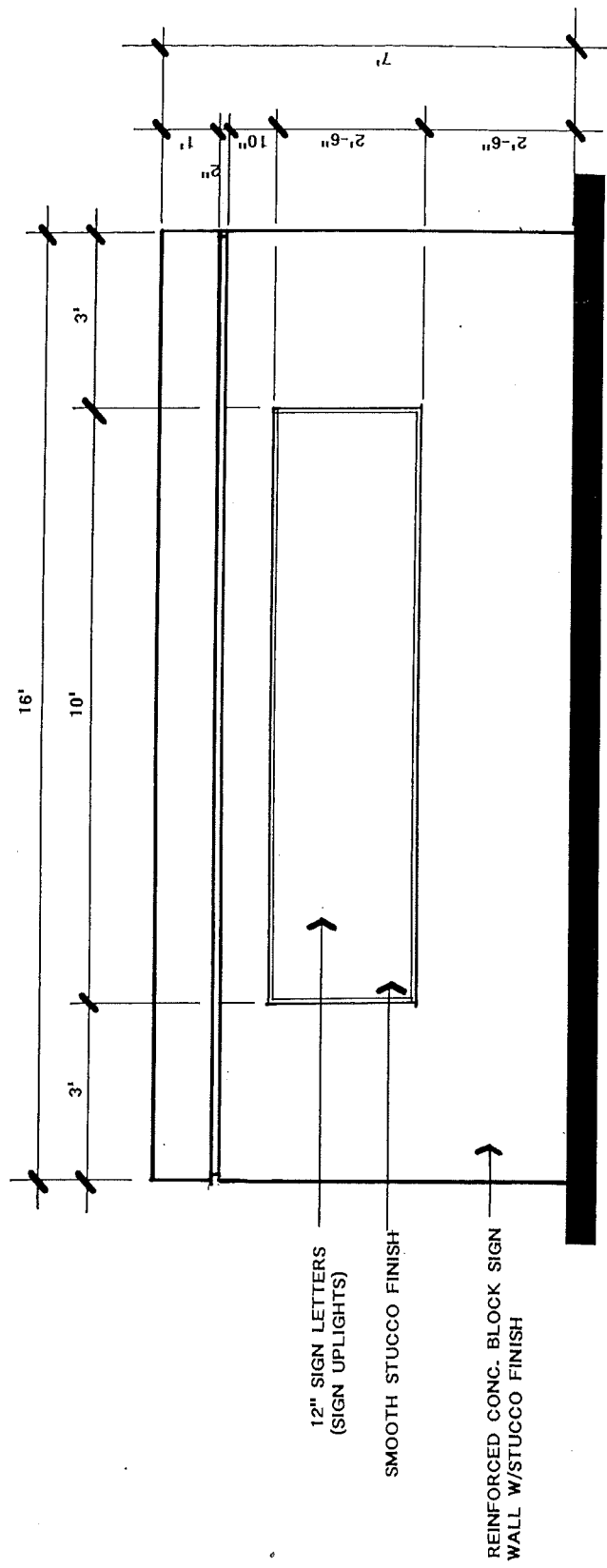
KEY

-  LAKE
-  PRESERVE WOODED AREA
-  20' LANDSCAPE BUFFER
-  25' LANDSCAPE BUFFER
-  ROADWAY LANDSCAPE AREA
-  SITE IDENTIFICATION SIGN
-  PARCEL IDENTITY SIGN
-  SPECIAL ENTRY SIGN





SITE I.D. SIGN
 NOT TO SCALE



SPECIAL ENTRY SIGN
 NOT TO SCALE

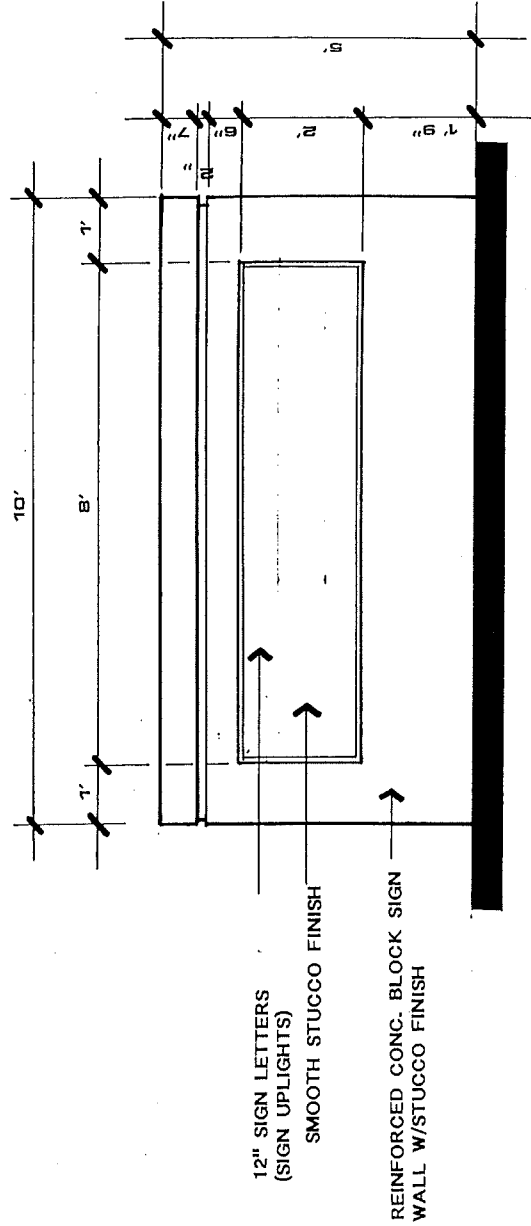


PROFESSIONAL ENGINEERING
Land Development Department
Governmental
2500 CORPORATE BLVD. N.W. EXECUTIVE COURT ONE SUITE 215 MOCA PLAZA 215 MOCA PLAZA 215 MOCA PLAZA (407) 796-9944

WILES/BUTLER PUD

REVISION:

JOB NO:
DATE:



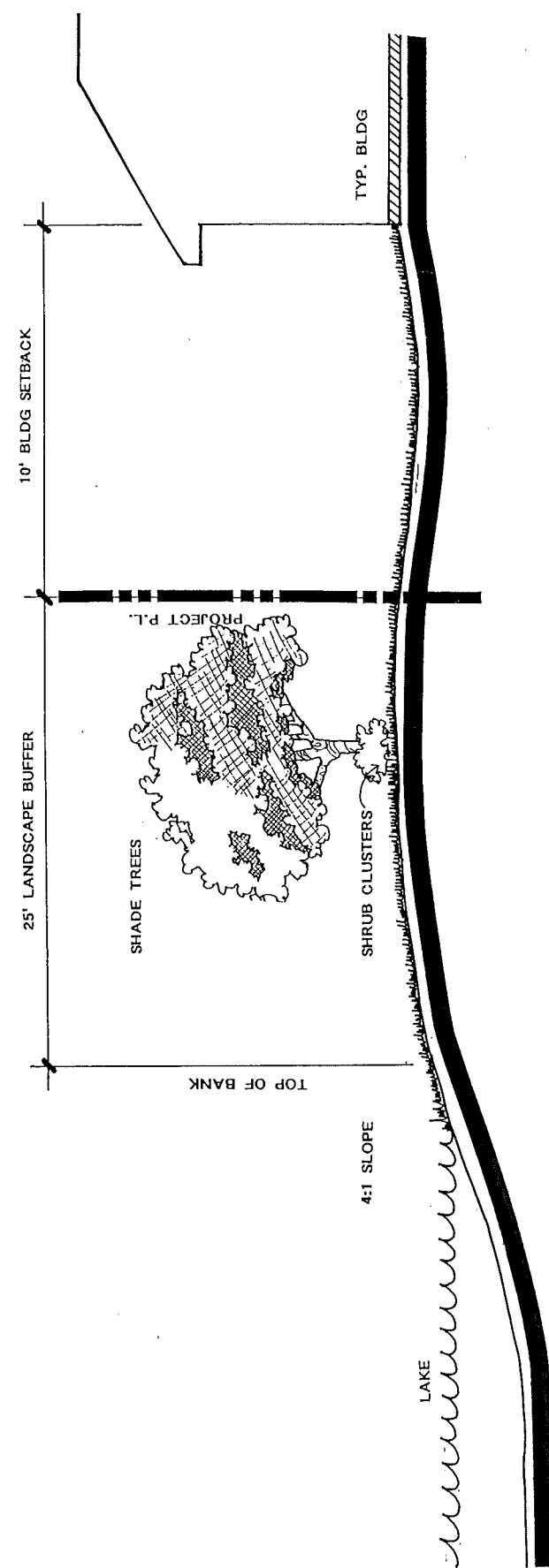
PARCEL I.D. SIGN
NOT TO SCALE



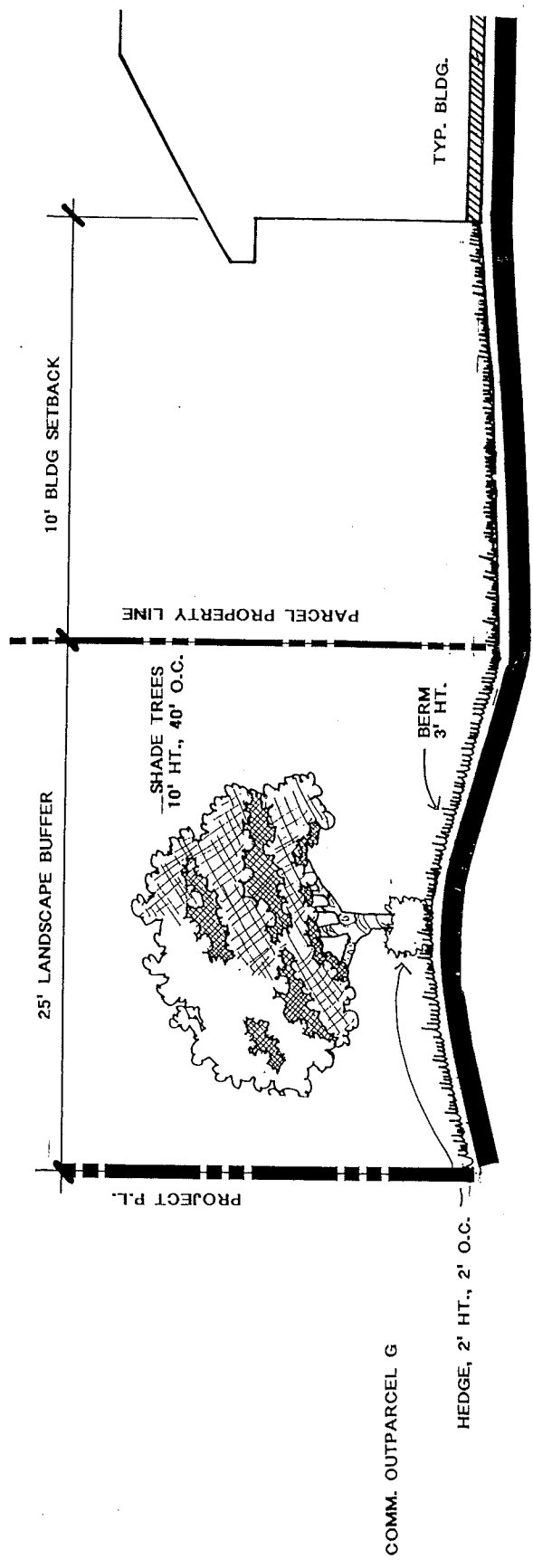
PROFESSIONAL ENGINEERING
Land Development Environmental
1200 COMPANATE BLVD. N.W. KENNEDY CENTER ONE SUITE 315 BOCA RATON FL 33431 (561) 996-9944

REVISION	
WILES/BUTLER PUD	

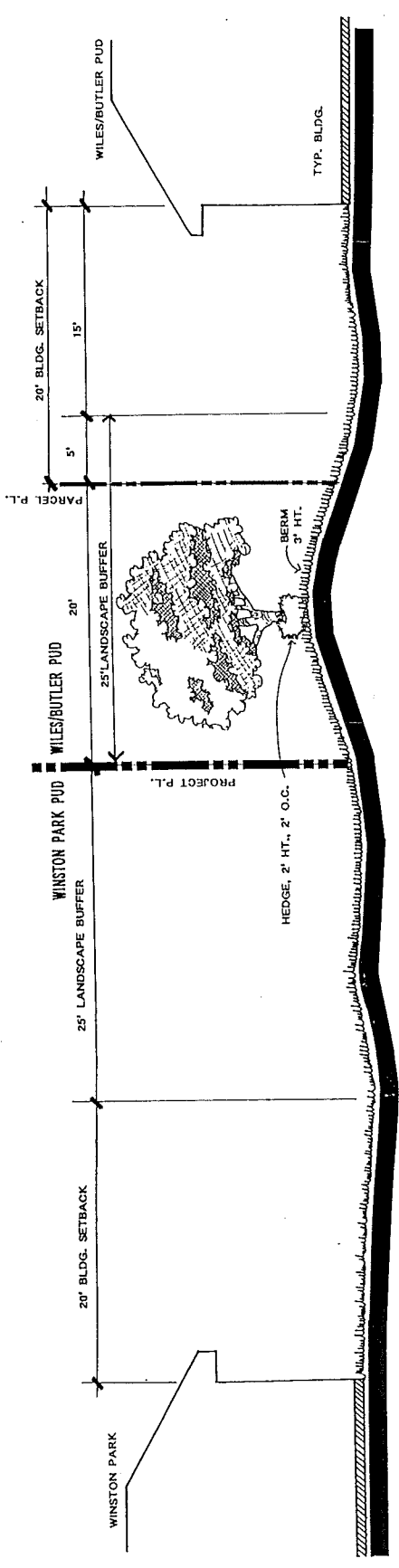
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DATE:



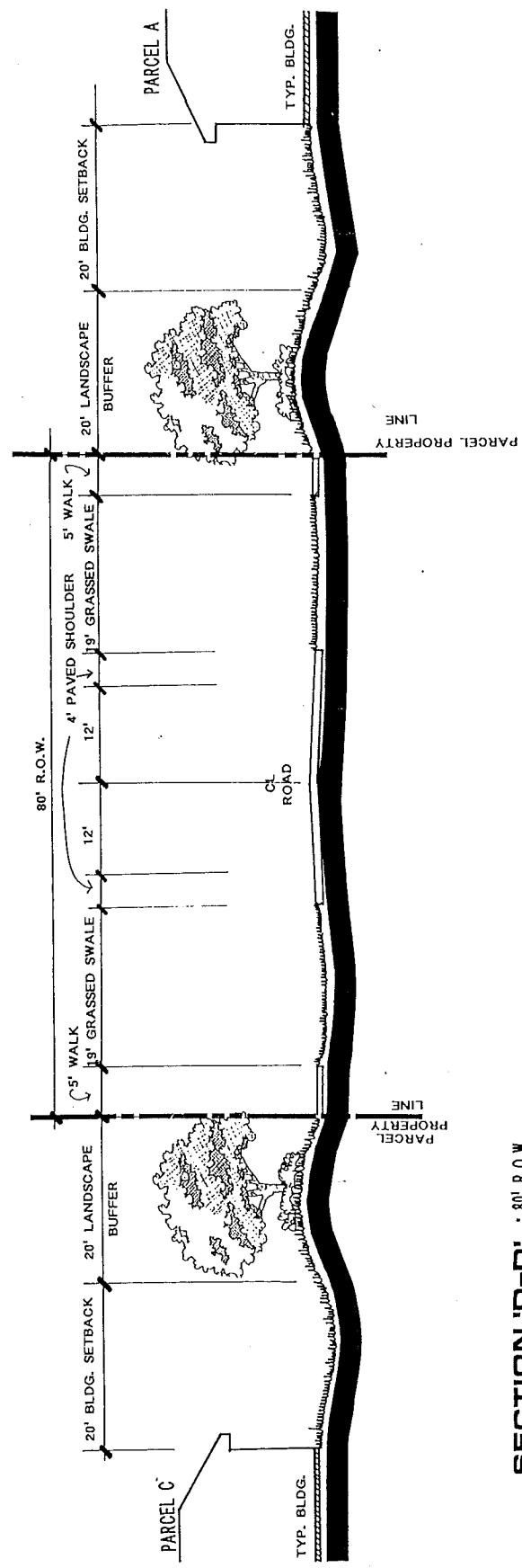
SECTION 'A-A'
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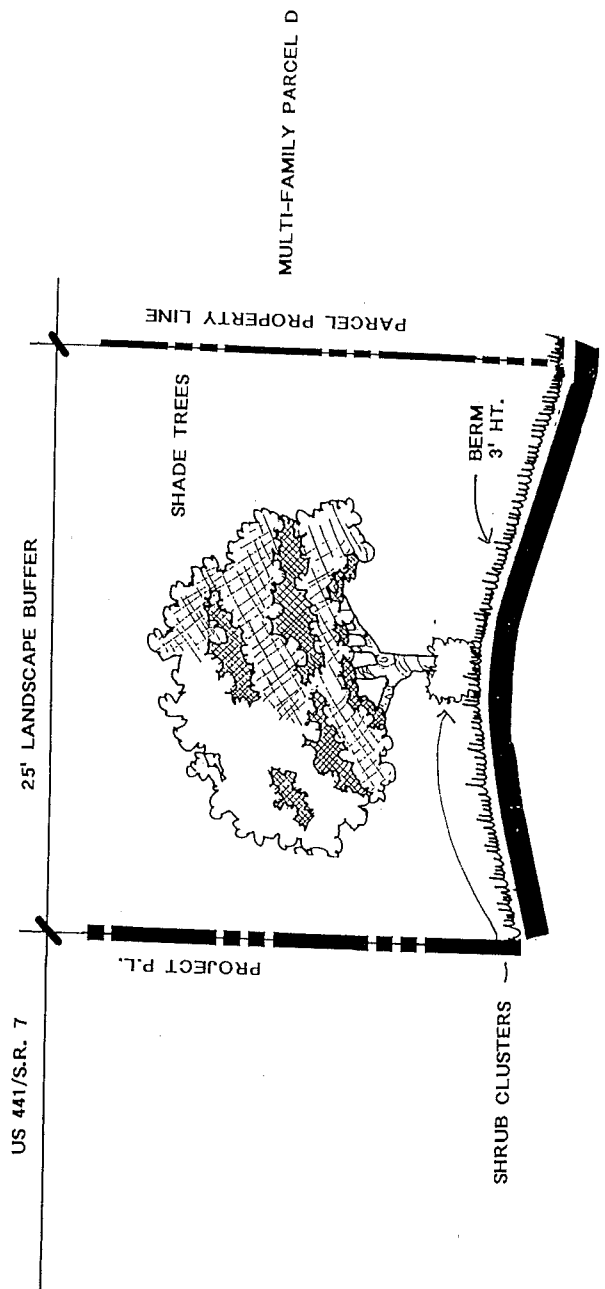
SECTION 'B-B'
 NOT TO SCALE



SECTION 'C-C'
NOT TO SCALE

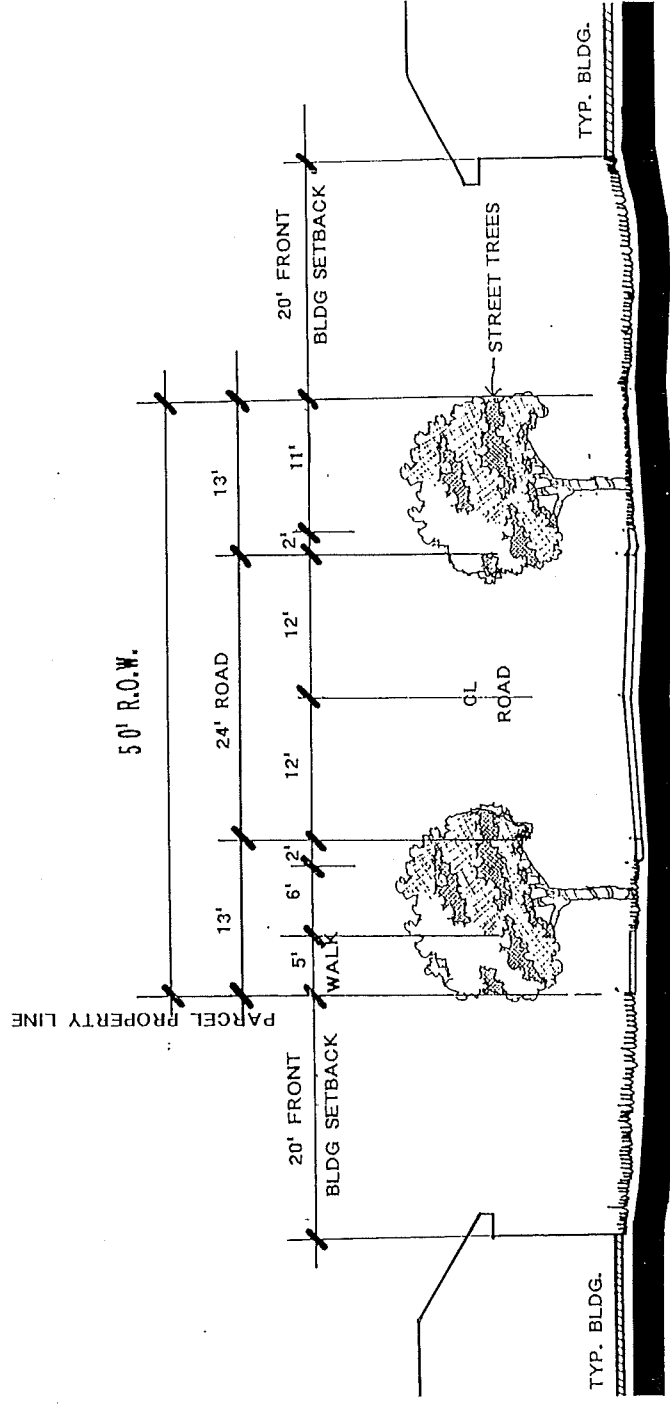


SECTION 'D-D' : 80' R.O.W.
 NOT TO SCALE



MULTI-FAMILY PARCEL D

SECTION 'E-E'
NOT TO SCALE

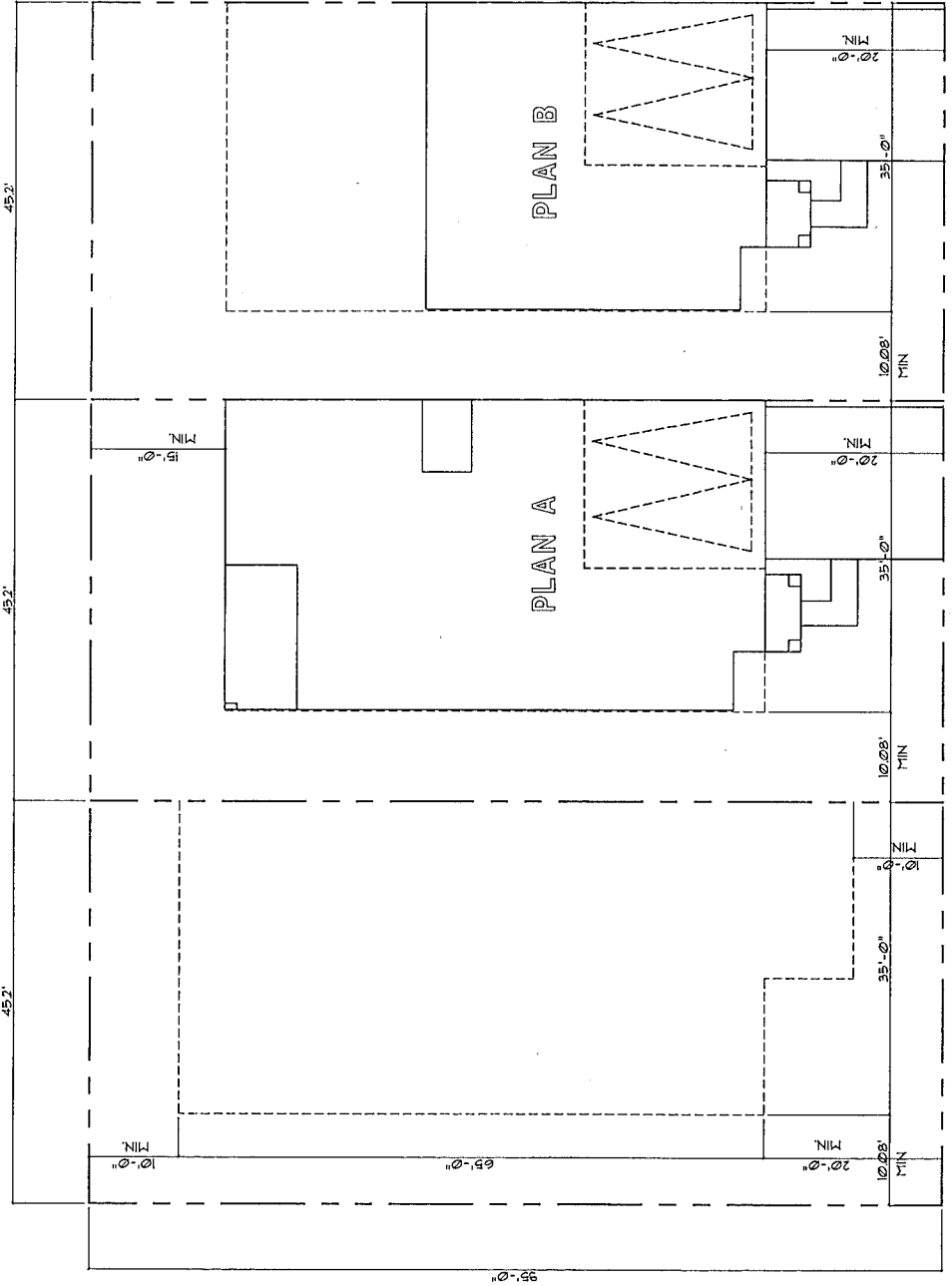


SECTION 'F-F'
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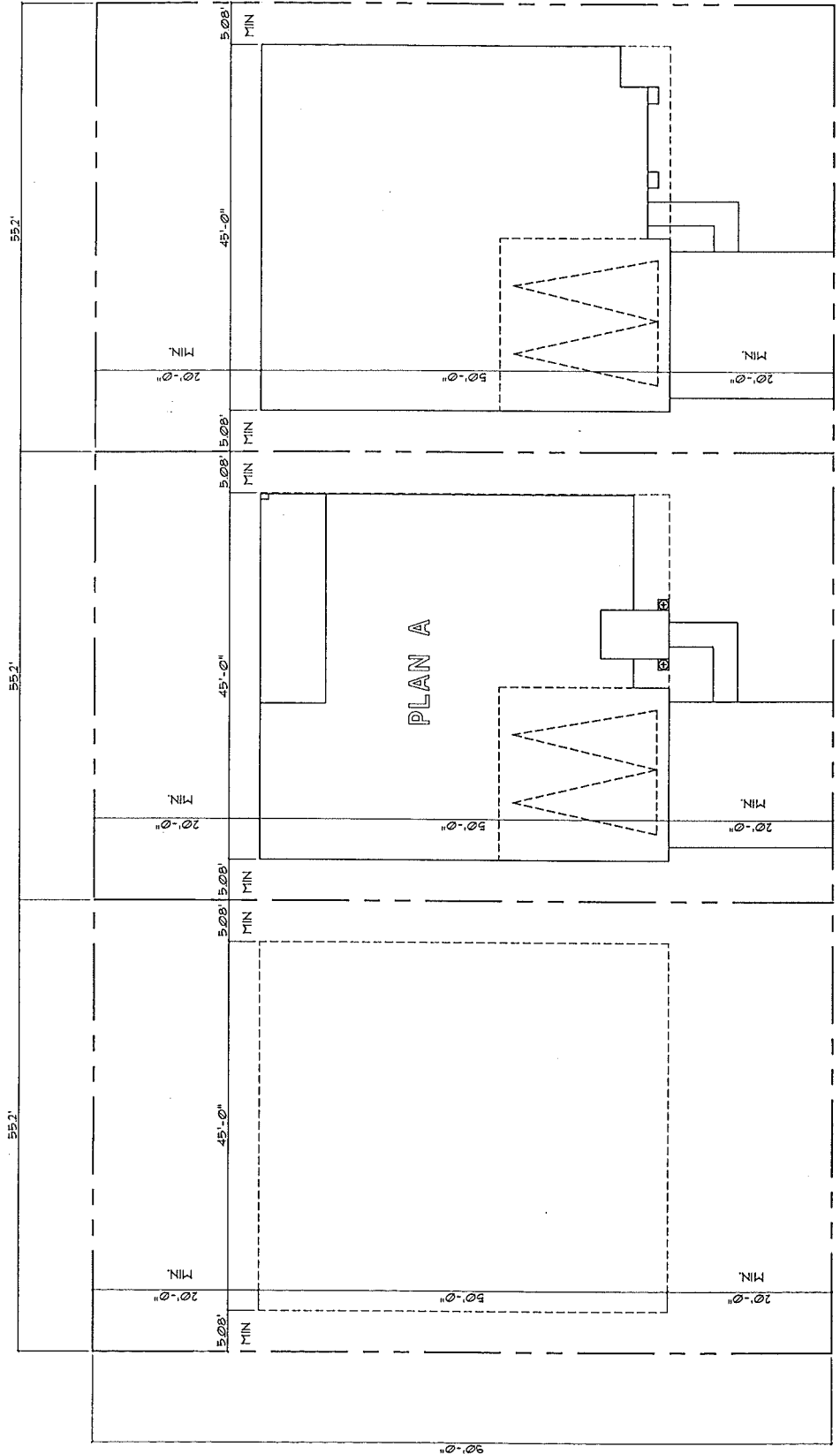
45' WIDE LOT

45' X 95' LOT

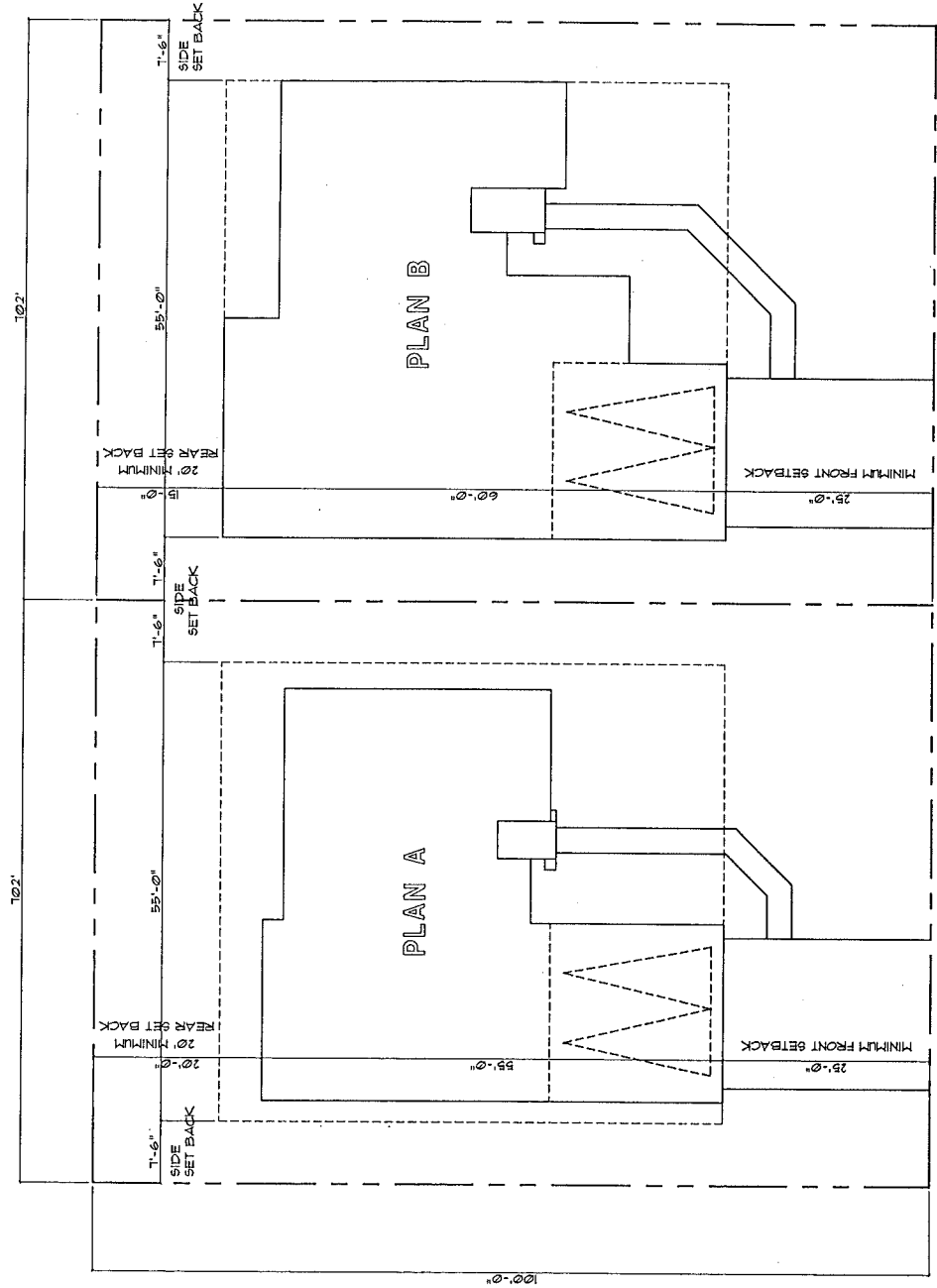
TYPICAL LOT LAY-OUT



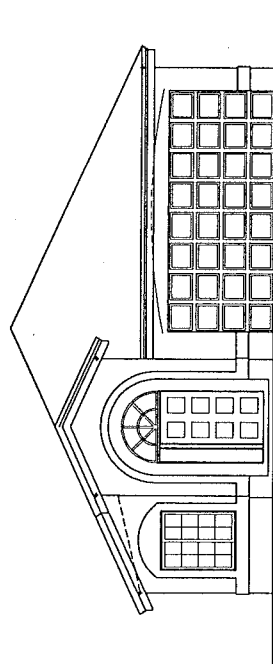
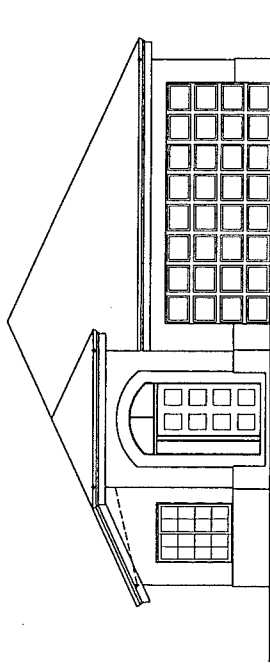
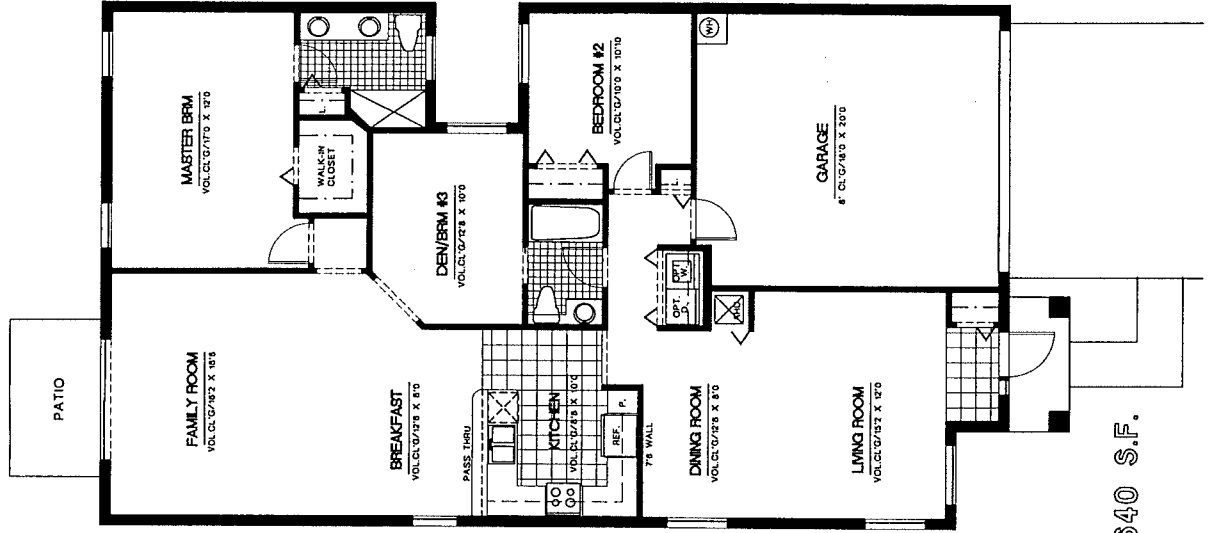
55' WIDE LOT
 55' X 90' LOT
 TYPICAL LOT LAY-OUT



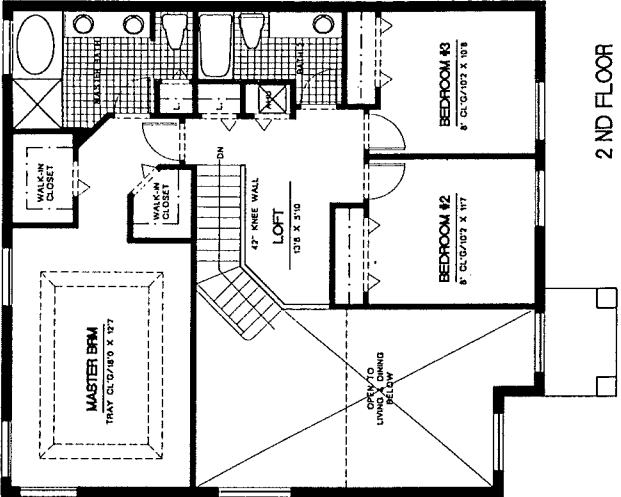
70' WIDE LOT
70' X 100' LOT
TYPICAL LOT LAY-OUT



45' WIDE LOT PRODUCT

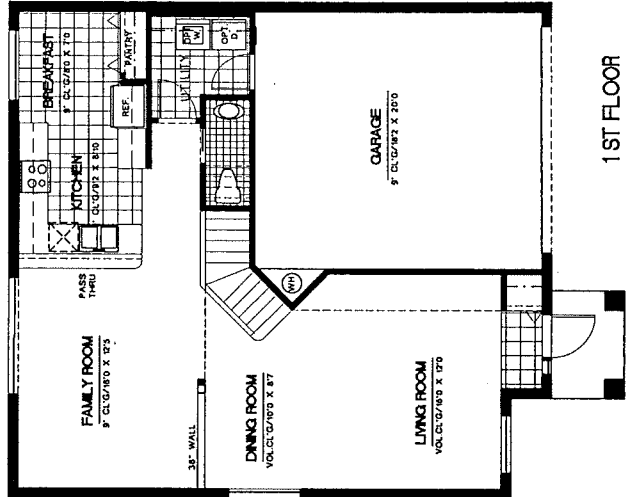


20' WIDE WALKWAY

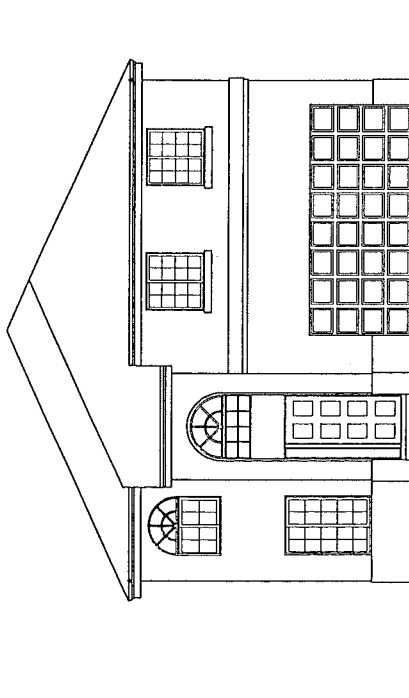


1850 S.F.

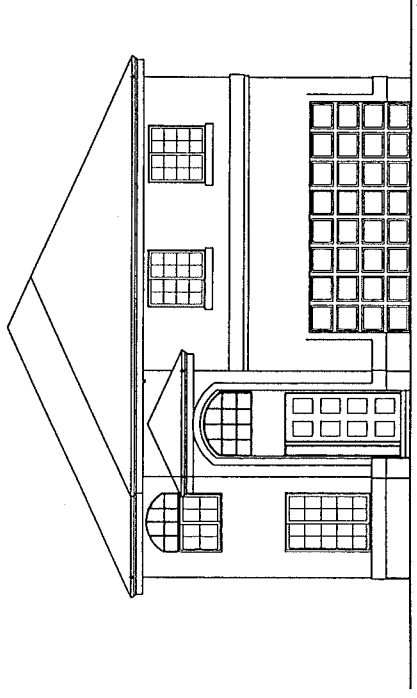
2 ND FLOOR



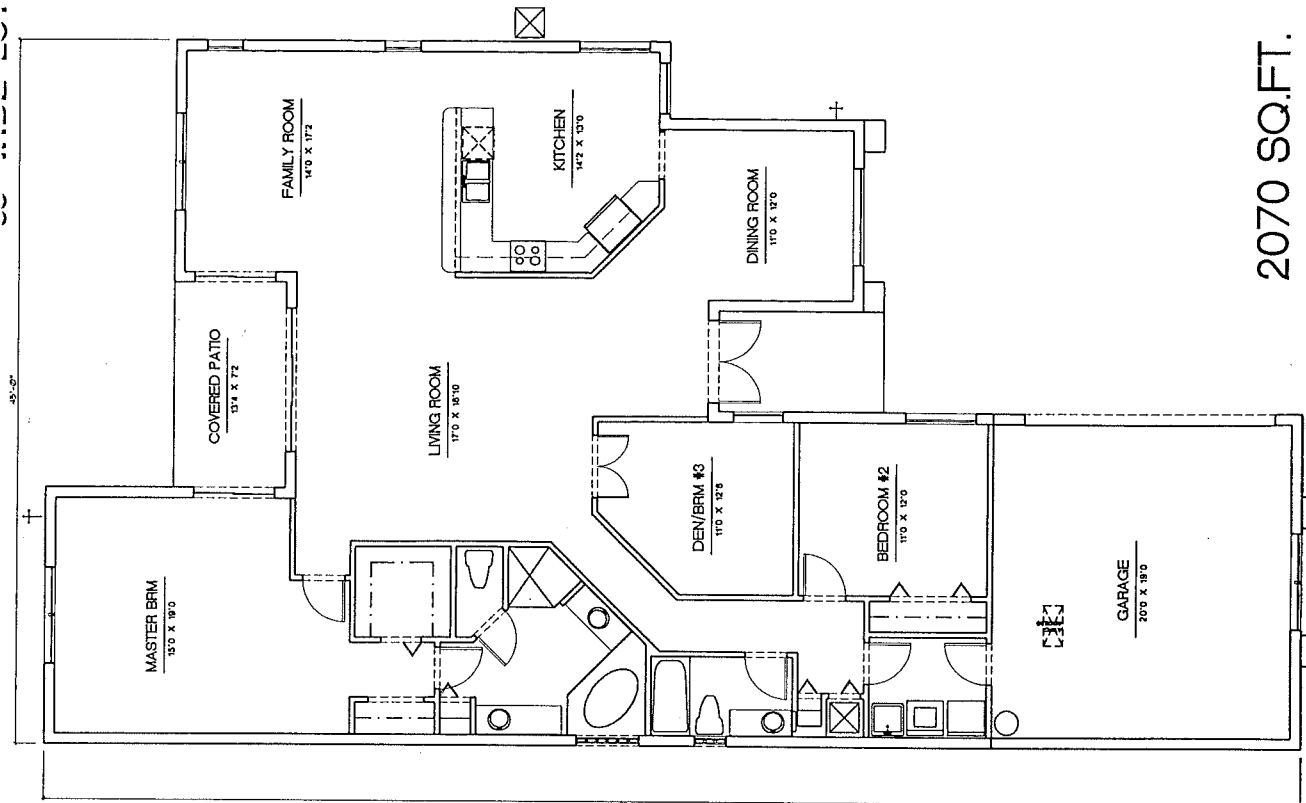
1ST FLOOR



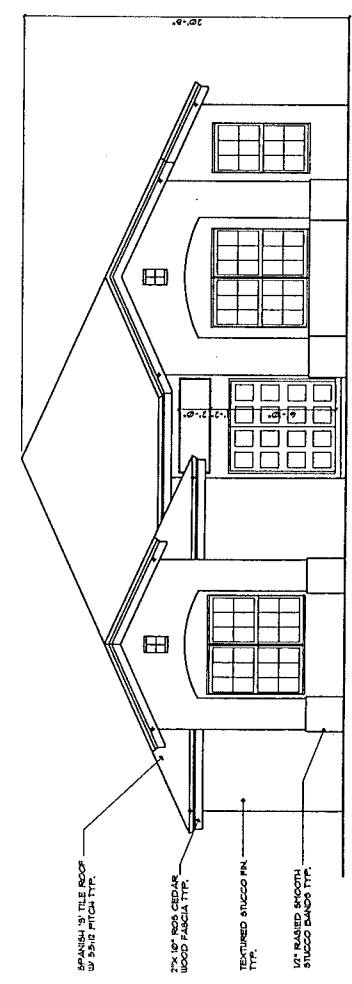
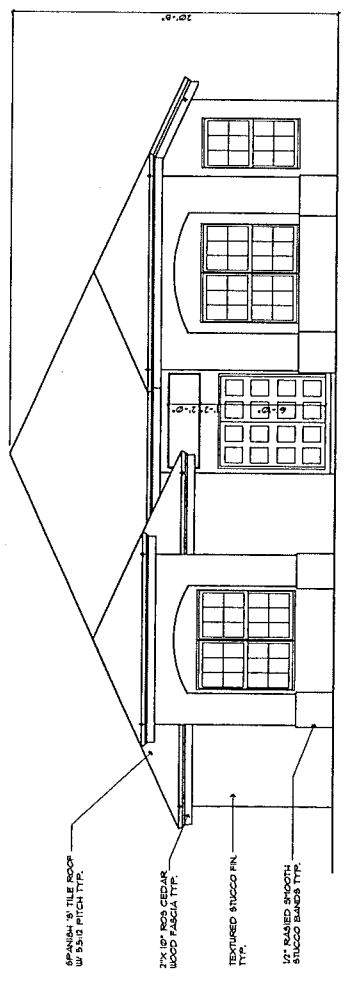
ELEVATION A

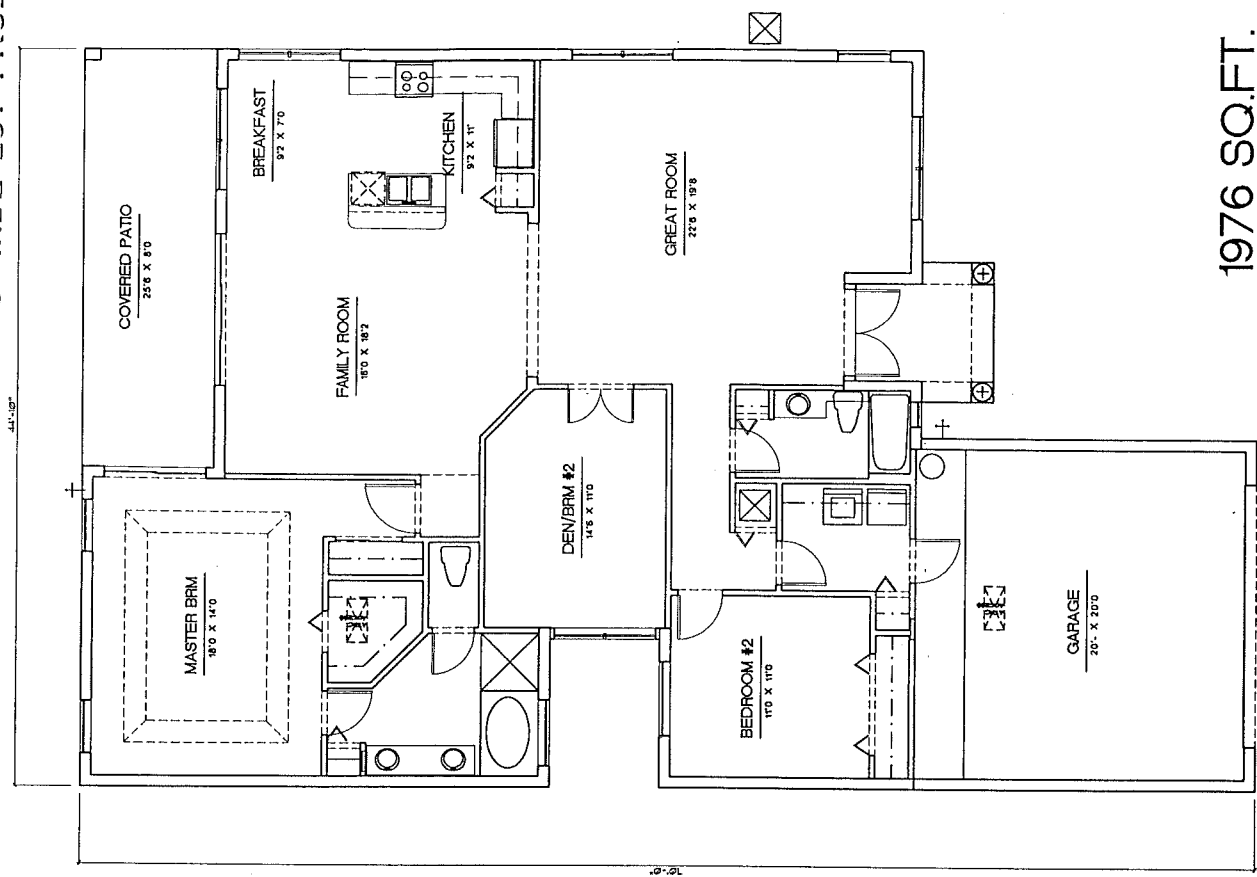


ELEVATION B

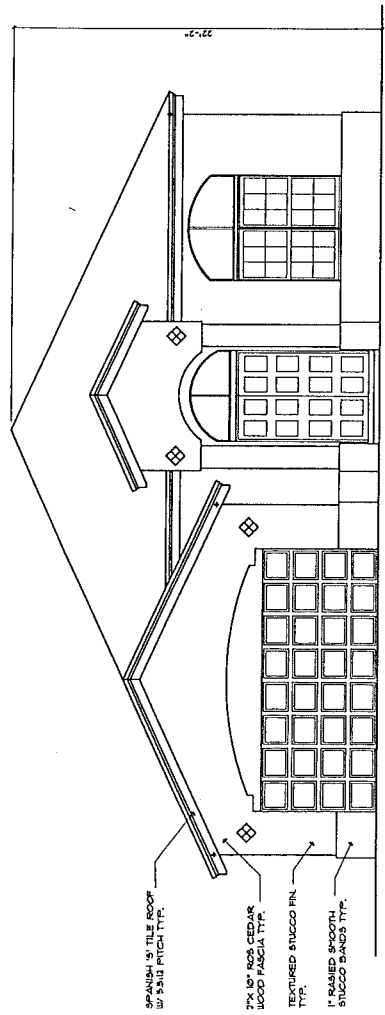


2070 SQ.FT.



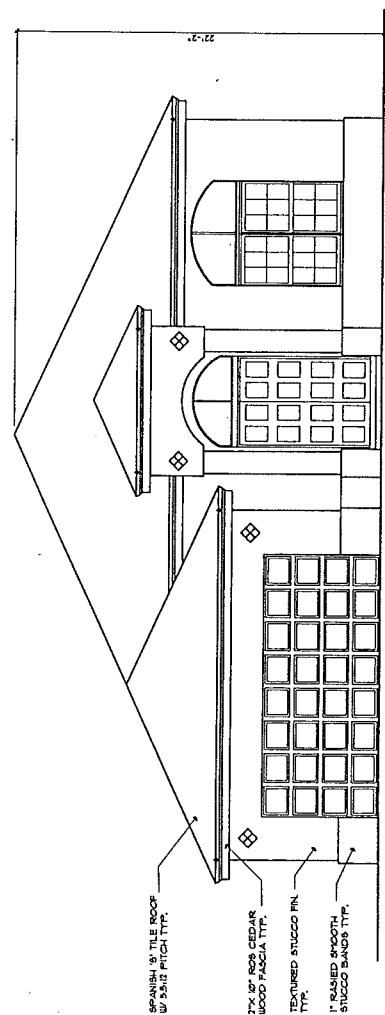


1976 SQ.FT.



ELEVATION A

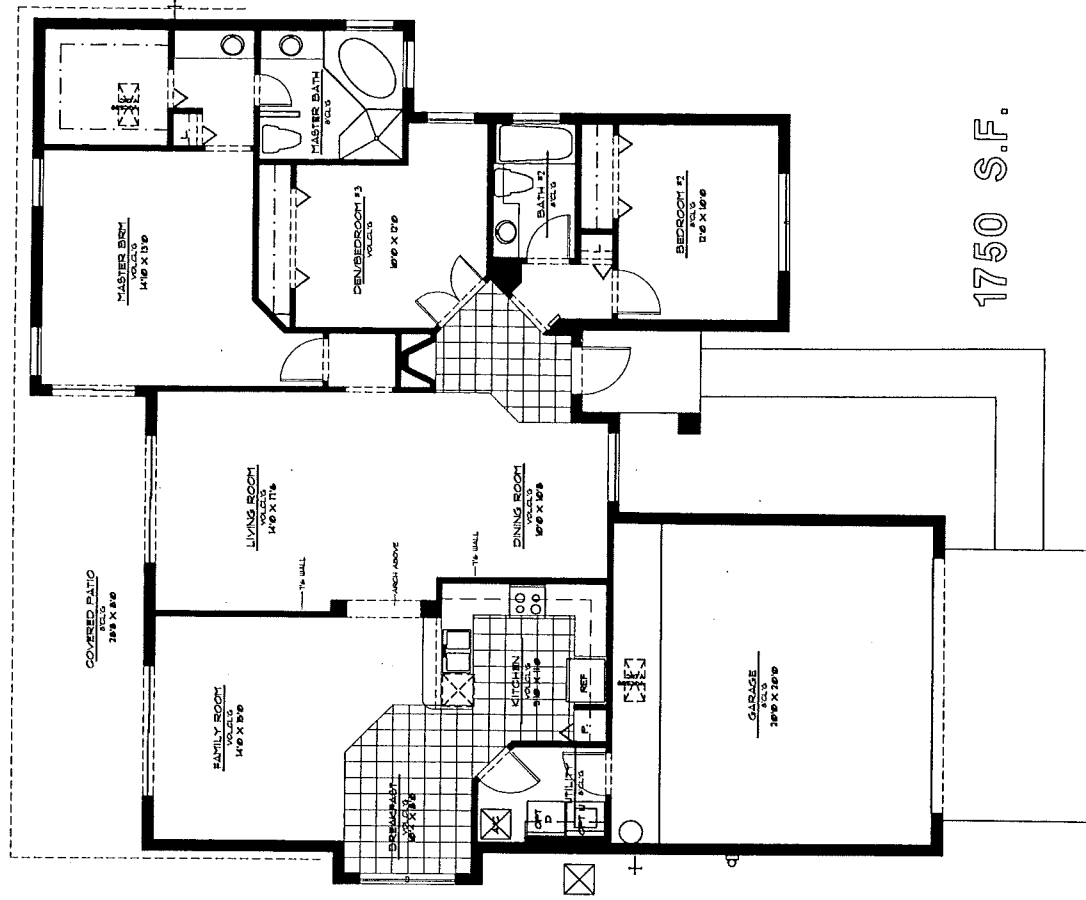
- SPANISH 18" TILE ROOF w/ 23 3/4 PITCH TYP.
- 2" X 10" ROSE CEDAR WOOD FASCIA TYP.
- TEXTURED STUCCO FIN. TYP.
- 1" RASIED SMOOTH STUCCO BANDS TYP.



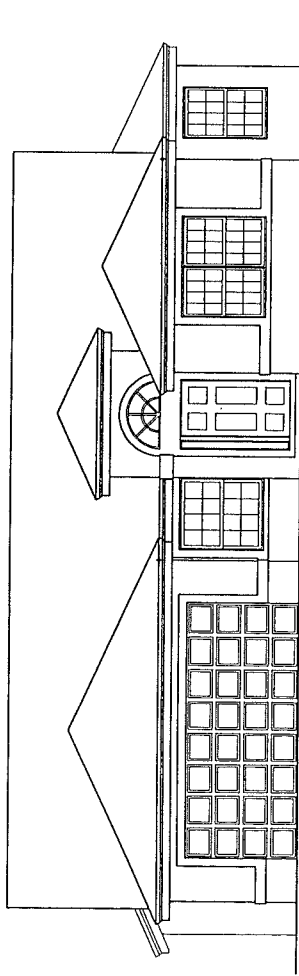
ELEVATION B

- SPANISH 18" TILE ROOF w/ 23 3/4 PITCH TYP.
- 2" X 10" ROSE CEDAR WOOD FASCIA TYP.
- TEXTURED STUCCO FIN. TYP.
- 1" RASIED SMOOTH STUCCO BANDS TYP.

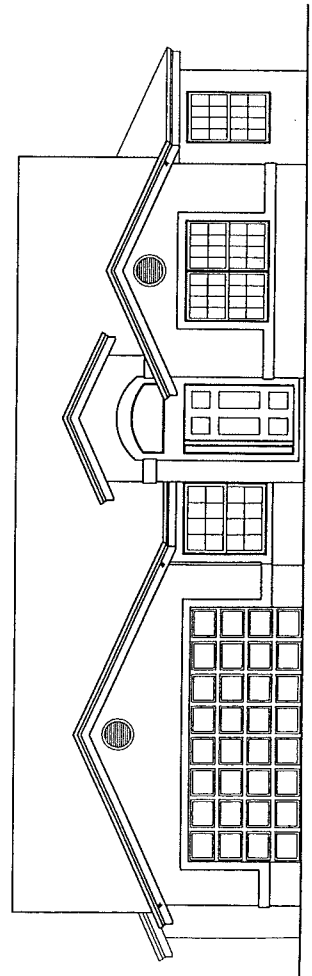
70' WIDE LOT PRODUCT



1750 S.F.

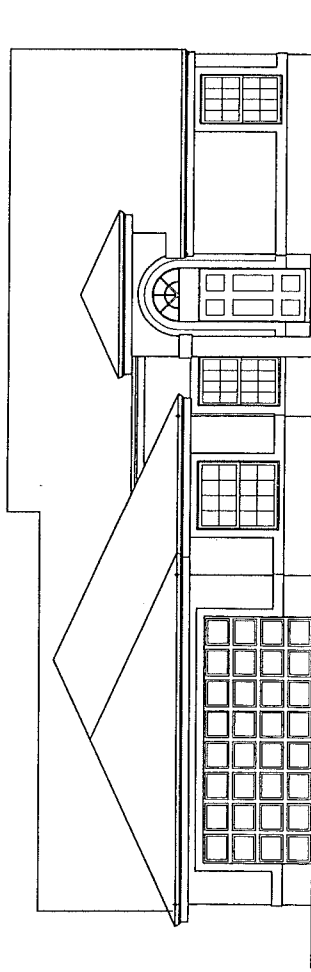
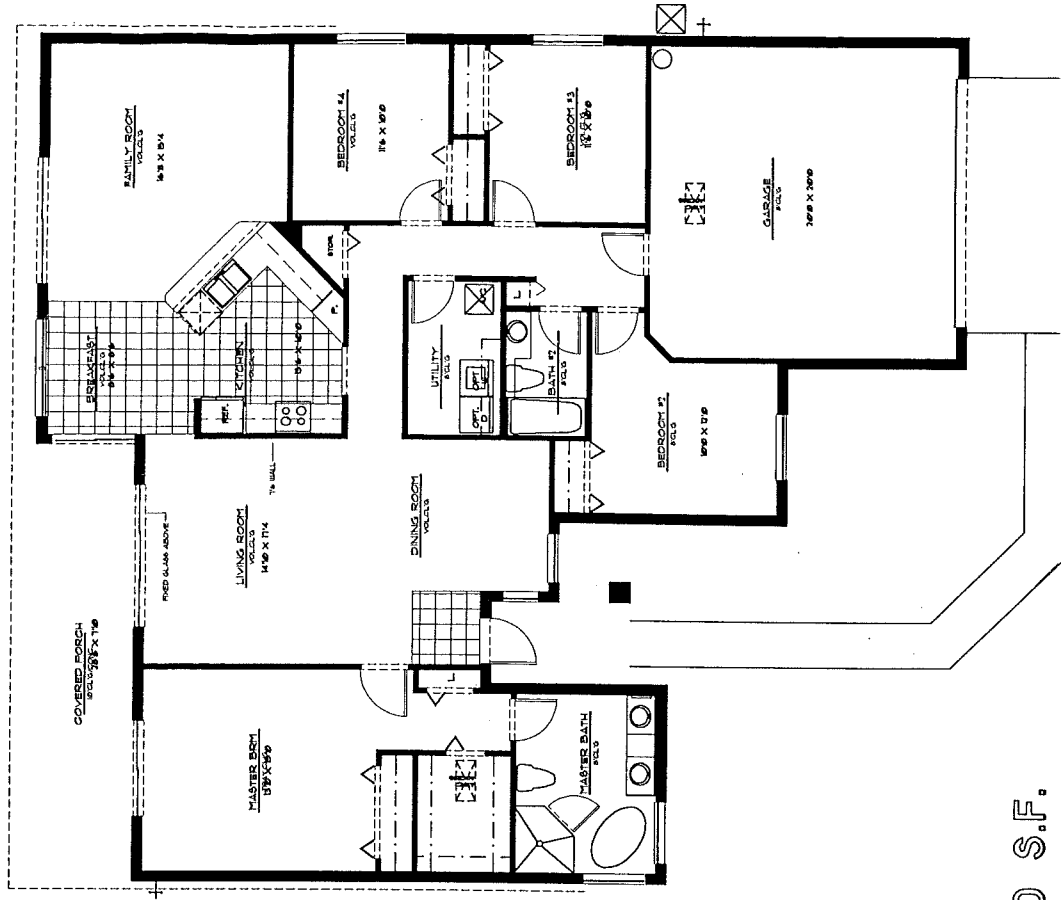


ELEVATION B

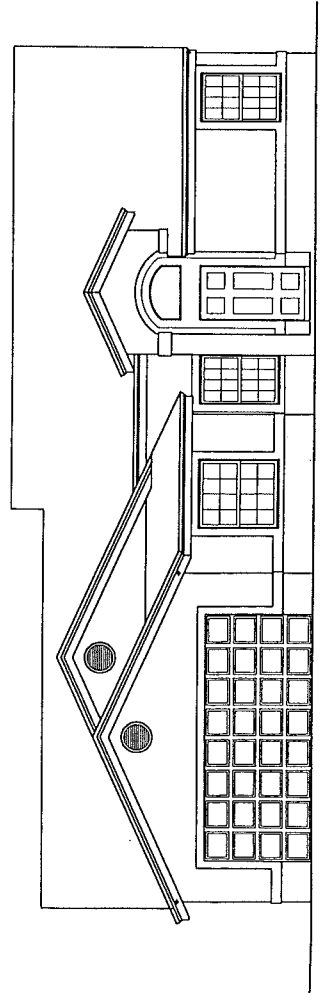


ELEVATION A

70' WIDE LOT PRODUCT



ELEVATION B



ELEVATION A

1980 S.F.